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WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, January 4, 1877.

[Circular.]

The accompanying list of depositories, designated for the use of disbursing officers of this Department, is published for the information and guidance of those concerned:—

These depositories have been, from time to time, designated by the Secretary of the Treasury in accordance with law.

This Circular, showing a complete and correct statement to this date, is intended to take the place of Orders and Circulars heretofore issued in reference to the names of depositories and the amount of their securities filed with the U. S. Treasurer.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

[See General Orders No. 39, of 1866; No. 1, of 1872; Nos. 16, 20, 51, 62, 96, and 111, of 1873; Nos. 10, 20, 21, 123, and 127, of 1874; Nos. 1 and 50, of 1875; and Nos. 98 and 114, of 1876; and see, also, Circular dated November 16, 1874, all from the War Department, in relation to public moneys.]

PLACES DESIGNATED BY THE SECRETARY OF THE TREASURY TO REGULATE AND SECURE THE SAFE-KEEPING OF PUBLIC MONEY INTRUSTED TO DISBURSING OFFICERS OF THE WAR DEPARTMENT.

DESIGNATION.	WHERE LOCATED.	AMOUNT OF SECURITIES FILED WITH THE U. S. TREASURER.
Treasurer of the United States	Washington, D. C.	
Assistant Treasurer of the United States	San Francisco, Cal.	
Assistant Treasurer of the United States	New Orleans, La.	
Assistant Treasurer of the United States	Boston, Mass.	
Assistant Treasurer of the United States	St. Louis, Mo.	
Assistant Treasurer of the United States	New York, N. Y.	
Assistant Treasurer of the United States	Philadelphia, Pa.	
Assistant Treasurer of the United States	Baltimore, Md.	
Assistant Treasurer of the United States	Chicago, Ill.	
Assistant Treasurer of the United States	Cincinnati, Ohio	
United States Depository	Tucson, A. T.	
Merchants' National Bank	Little Rock, Ark.	$50,000 00
Colorado National Bank	Denver, C. T.	50,000 00
First National Bank	Denver, C. T.	50,000 00
Second National Bank	New Haven, Conn.	70,000 00
First National Bank	Yankton, D. T.	50,000 00
Atlanta National Bank	Atlanta, Ga.	75,000 00
Merchants' National Bank	Savannah, Ga.	50,000 00
First National Bank	Rock Island, Ill.	100,000 00
First National Bank	Springfield, Ill.	200,000 00
First National Bank	Indianapolis, Ind.	100,000 00
Indianapolis National Bank	Indianapolis, Ind.	100,000 00
Davenport National Bank	Davenport, Iowa	75,000 00
First National Bank	Sioux City, Iowa	95,000 00

PLACES DESIGNATED, &c.—Continued.

Designation.	Where located.	Amount of securities filed with the U. S. Treasurer.
First National Bank	Leavenworth, Kas.	$200,000 00
Kentucky National Bank	Louisville, Ky	200,000 00
Granite National Bank	Augusta, Me	50,000 00
First National Bank	Portland, Me	200,000 00
Merchants' National Bank	Portland, Me	100,000 00
First National Bank	New Bedford, Mass	70,000 00
Third National Bank	Springfield, Mass	252,000 00
Second National Bank	Detroit, Mich	*500,000 00
First National Bank	St. Paul, Minn	200,000 00
Second National Bank	St. Paul, Minn	260,000 00
First National Bank	Helena, M. T.	*100,000 00
First National Bank	Boseman, M. T.	50,000 00
First National Bank	Omaha, Neb	150,000 00
Omaha National Bank	Omaha, Neb.	150,000 00
First National Bank	Portsmouth, N. H.	122,000 00
First National Bank	Trenton, N. J	100,000 00
First National Bank of Santa Fé	Santa Fé, N. M.	150,000 00
First National Bank	Oswego, N. Y.	50,000 00
First National Bank	Troy, N. Y.	125,000 00
Farmers' and Mechanics' National Bank of Buffalo	Buffalo, N. Y.	150,000 00
Merchants' National Bank	Albany, N. Y.	200,000 00
Raleigh National Bank of North Carolina	Raleigh, N. C.	150,000 00
National Exchange Bank	Columbus, Ohio	50,000 00
First National Bank	Portland, Oregon	*200,000 00
First National Bank of Erie	Erie, Pa	50,000 00
Tradesmen's National Bank of Pittsburg	Pittsburg, Pa	200,000 00
First National Bank	Newport, R. I	50,000 00
People's National Bank of Charleston	Charleston, S. C.	150,000 00
First National Bank	Chattanooga, Tenn	*50,000 00

PLACES DESIGNATED, &c.—Continued.

DESIGNATION.	WHERE LOCATED.	AMOUNT OF SECURITIES FILED WITH THE U. S. TREASURER.
First National Bank	Memphis, Tenn.	$100,000 00
First National Bank	Nashville, Tenn.	150,000 00
First National Bank	Galveston, Tex.	75,000 00
San Antonio National Bank	San Antonio, Tex.	*100,000 00
Lynchburg National Bank	Lynchburg, Va.	60,000 00
Exchange National Bank	Norfolk, Va.	175,000 00
First National Bank	Richmond, Va.	100,000 00
First National Bank	Madison, Wis.	75,000 00
National Exchange Bank	Milwaukee, Wis.	175,000 00

*Exclusive of personal bonds.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 1. } ADJUTANT GENERAL'S OFFICE,
Washington, January 8, 1877.

The following corrections of General Orders No. 97, Adjutant General's Office, of 1876, prepared by the Quartermaster General, are, at his instance, published for the information of all concerned:—

In table of "free or land grant railroads," Paragraph 4, of section 2, Lake Superior and Mississippi Railroad, "Branch from *Great Bear*," should be "Branch from *White Bear Lake.*"

Leavenworth, Lawrence and Galveston Railroad, termini of land grant portion, should be from *Lawrence, Kansas, to south line of State*, 141 miles, instead of from *Leavenworth to south line of State*, 177.6 miles.

The distance by Mobile and Ohio Railroad from Mobile, Alabama, to Columbus, Kentucky, should read 472 miles.

Add to list, North Wisconsin Railroad, from Saint Croix, Wisconsin, to Lake Superior. [NOTE.—This railroad connects with the West Wisconsin Railroad at North Wisconsin Junction, 3½ miles east of Hudson.]

In Paragraph 15, section 3, page 6, the third line should read as follows: "For travel from place of annulment of contract to place of making same."

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

[NOTE.—General Orders No. 114 is the last of the series of 1876.]

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 2. } ADJUTANT GENERAL'S OFFICE,
Washington, January 15, 1877.

By direction of the Secretary of War General Orders No. 113, December 12, 1876, from this office, publishing the prescribed allowances of stoves for offices and quarters, is hereby modified so as to allow the necessary heating stoves for the office rooms provided by General Orders No. 4, War Department, Adjutant General's Office, January 26, 1876, for the Colonel and Chief Medical Purveyor, not exceeding one (1) heating stove for each room.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 8. } ADJUTANT GENERAL'S OFFICE,
Washington, January 26, 1877.

The following order and regulations, received from the War Department, are published for the information and guidance of all concerned:—

WAR DEPARTMENT,
January 22, 1877.

Whereas, by an act of Congress entitled "An Act granting a portion of the United States military reservation at Salt Lake City for cemetery purposes," approved May 16, 1874, the Secretary of War was "authorized to set apart a tract of land, not exceeding twenty acres in extent, in the United States military reservation of Camp Douglas, near Salt Lake City, in the Territory of Utah, to be used as a public cemetery, under such rules and regulations as he shall establish for the protection, care, and management of such cemetery;" and whereas, by the order of the Secretary of War, there has been surveyed and marked off in said reservation a certain tract of twenty acres bounded and described as follows, viz: beginning at the point where the western boundary of the military reservation at Camp Douglas, Utah, as declared by the President, September 3, 1867, is intersected by the eastward prolongation of the south side of Fifth South Street, Salt Lake City, and running thence due east eighty rods; thence due south forty rods to a point on the eastward prolongation of the north side of Sixth South Street, Salt Lake City; thence due west eighty rods to the point of intersection of said western boundary of said military reservation by said eastward prolongation of said north side of said Sixth South Street; thence due north along said western boundary of said military reservation forty rods to the point of beginning.

Now therefore, by virtue of the authority conferred by the said act, the said described tract of twenty acres is hereby set apart and dedicated by me as a public cemetery, to be used and occupied by the religious denominations and persons contemplated by said act, subject to such rules and regulations as may be established by me

for the protection, care, and management of the same; reserving however therefrom two acres, to be hereafter designated by me, as a potter's field or common burying ground, for the use of the civil authorities of Salt Lake City.

J. D. CAMERON,
Secretary of War.

REGULATIONS.

Whereas, by an act of the Congress of the United States entitled "An Act granting a portion of the United States military reservation at Salt Lake City for cemetery purposes," approved May 16, 1874, the Secretary of War is "authorized to set apart a tract of land, not exceeding twenty acres in extent, in the United States military reservation of Camp Douglas, near Salt Lake City, in the Territory of Utah, to be used as a public cemetery, under such rules and regulations as he shall establish for the protection, care, and management of such cemetery;" and whereas the Secretary of War has set apart and dedicated a tract of twenty acres in said reservation pursuant to, and for the purpose specified in, said act; and whereas it is further contemplated in said act that the said cemetery shall mainly be used and occupied by such religious denominations organized in said Salt Lake City as shall file with the Secretary of War proof of their organization; the said denominations being also empowered to inclose and ornament such tract, or the portion occupied by them, as they may see fit; and whereas the following religious denominations organized in said Salt Lake City have duly filed with the Secretary of War the proper proof of their organization, viz: The Protestant Episcopal Church, The Methodist Episcopal Church, The Congregational Church, The Presbyterian Church, and The Baptist Church: Now, therefore, in pursuance of the authority in me vested by said act of Congress, I, J. D. Cameron, Secretary of War, do hereby establish the following rules and regulations for the protection, care, and management of such cemetery:

I...The control and management of said cemetery is committed to a Board of Directors to be composed of the officer in command of the military post at Camp Douglas, so long as a military post shall be maintained at that point, and the clergy of the several religious denominations or churches assenting hereto, together with one lay

person to be chosen by each of said churches or denominations at such time, and in such manner, and for such term, as they shall severally see fit.

II...Said Board shall be organized by the election from its number of a President, Secretary, and Treasurer, and, when so organized, a majority shall constitute a quorum for transacting business; and it may adopt such rules for its guidance, not inconsistent herewith, as it sees fit. It may also appoint such inferior officers, sextons, and superintendents as it may deem best, and fix their compensations. The services of the members of said Board and officers shall be without compensation or salary.

III...After the organization of said Board the commanding officer at Camp Douglas will, in accordance with the provision of the act aforesaid, cause said cemetery to be laid out and platted in convenient lots, subject to the approval of the said Board.

IV...The said Board is authorized to set apart to persons applying for private burial lots, such lots within said cemetery tract of reasonable size, and for such sum or price as it shall see fit; but no sales shall be made for speculative purposes. A certificate signed by the President and Treasurer, stating the consideration paid and particularly describing the lot, shall, upon payment of the price, vest the right to use such lot for a private burial lot in the purchaser, his successors and assigns forever; but no lot shall be so granted, and certificate made until the price thereof has been paid.

V...The Treasurer shall receive all moneys arising from the sale of lots or otherwise, and pay the same out by direction of said Board, and he shall annually and oftener, whenever required by said Board, render a full account of all receipts and disbursements with the vouchers therefor; and he shall turn over to his successor all moneys coming to his hands as such Treasurer, and all books, vouchers, and papers relating thereto.

VI...All moneys arising from the assignment of lots, or raised or donated by any person for the purposes of said cemetery, shall be scrupulously kept for the purposes of said cemetery, and no part thereof shall be diverted or devoted to any other use or purpose whatever; and the said Board shall have no power to create any debt, liability, or obligation, for the payment of money, which shall be binding upon this Department or upon the United States, nor to incur any liability greater than it has the present means of defraying.

VII...Any religious denomination organized in Salt Lake City, other than those herein designated, which shall file with the Secretary of War proof of its organization, shall be admitted to an enjoyment of the benefits of said act, and to the use of said cemetery, on equal terms with the organizations herein designated, subject to these regulations.

J. D. CAMERON,
Secretary of War.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 4. } ADJUTANT GENERAL'S OFFICE,
Washington, January 27, 1877.

The following Acts of Congress are published for the information and government of all concerned:—

I.—AN ACT to amend an act entitled "An act authorizing the repavement of Pennsylvania avenue," and the act amendatory thereof.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of said act, and the act amendatory thereof, approved August fifteenth, eighteen hundred and seventy-six, as provides that the said pavement shall be fully completed and ready for use January fifteenth, eighteen hundred and seventy-seven, is hereby amended so as to extend the time for the completion of said work to the first day of June, eighteen hundred and seventy-seven: *Provided*, That the sureties in the contract for doing said work shall file with the said Paving Commissioners their consent in writing to the extension of time provided for in this act and in default thereof that the contractors shall file a new bond to the satisfaction of the said Paving Commissioners, before said contractors shall be entitled to any benefits under the provisions of this act.

Approved, January 16, 1877.

II.—AN ACT to authorize the Vancouver Water Company to lay water-pipes through the Fort Vancouver military reservation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Vancouver Water Company, a corporation organized under the laws of Washington Territory is hereby authorized to lay down and keep in repair water-pipes for the conveyance of water through the military reservation of Fort Vancouver in the said Territory, to be subject at all times to removal and to the orders and regulations of the War Department.

Approved, January 19, 1877.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, January 30, 1877.

[Circular.]

The following letter from the Secretary of the Treasury to the Secretary of War is published for the information of those concerned:—

TREASURY DEPARTMENT,
January 24, 1877.

HON. J. DONALD CAMERON,
Secretary of War.

SIR: I have the honor to inform you that the amount of U. S. bonds held by the Treasurer of U. S. to secure public deposits in the First National Bank of Leavenworth, Kansas, now stands at $225,000—an increase of $25,000.

Very respectfully,

(Signed) L. M. MORRILL,
Secretary.

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,
Assistant Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 5. } ADJUTANT GENERAL'S OFFICE,
Washington, February 1, 1877.

The following Act of Congress is published for the information and government of all concerned:—

AN ACT for the relief of J. T. McGinniss, captain of Thirteenth Infantry, United States Army.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That J. T. McGinniss, captain of the Thirteenth Infantry, United States Army, is hereby relieved from the responsibility of commissary-funds amounting to three hundred and eighty dollars and seventy-nine cents, the property of the United States, which were stolen in an office-safe from a tent at Fort Shaw, Montana Territory, October, eighteen hundred and sixty-seven.

Received by the President December 19, 1876.

[NOTE BY THE DEPARTMENT OF STATE.—The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the house of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]

BY COMMAND OF GENERAL SHERMAN:

THOMAS M. VINCENT,
Assistant Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 6. } ADJUTANT GENERAL'S OFFICE,
Washington, February 5, 1877.

The following order is approved by the Secretary of War:—

The Garrison Flag, thirty-six feet fly and twenty feet hoist, will hereafter be furnished only to very important posts, or those having large garrisons, and will be hoisted only on gala days and great occasions.

The Post Flag, twenty feet fly and ten feet hoist, will be furnished to all posts garrisoned by troops, and will be hoisted only in pleasant weather.

The Storm Flag, eight feet fly and four feet two inches hoist, will be furnished to all occupied military posts and National Cemeteries, and will be hoisted in stormy or windy weather. This flag will also be used as a Recruiting Flag when the stock of those flags now on hand is exhausted.

Officers accountable for flags will make the necessary corrections on their returns by reporting as "Post Flags" those heretofore designated as Storm Flags, and by reporting as "Storm and Recruiting Flags" those heretofore designated as Recruiting Flags.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, February 5, 1877.

[Circular.]

The following letter from the Acting Secretary of the Treasury to the Secretary of War is published for the information of those concerned:—

TREASURY DEPARTMENT,
January 30, 1877.

HON. J. DONALD CAMERON,
Secretary of War.

SIR: I have the honor to inform you that the amount of U. S. bonds held in trust by the Treasurer of U. S. to secure public deposits in the First National Bank of Portland, Maine, now stands at $212,000—an increase of $12,000.

Very respectfully,

(Signed) CHAS. F. CONANT,
Acting Secretary.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS
No. 7.

HEADQUARTERS OF THE ARMY,
ADJUTANT GENERAL'S OFFICE,
Washington, February 6, 1877.

The following Joint Resolutions and Acts of Congress are published for the information and government of all concerned:—

I...JOINT RESOLUTION extending the time for the making of a report by the Army Commission created by the act of July twenty-fourth eighteen hundred and seventy-six.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the period fixed by the Fourth Section of the act of July twenty-fourth eighteen hundred and seventy-six, making appropriations for the support of the Army for the fiscal year ending June thirtieth eighteen hundred and seventy-seven for the report of the Commission named in said section be and is hereby extended to the twenty-ninth day of January eighteen hundred and seventy-seven.

Approved, January 15, 1877.

II...AN ACT making appropriation for the improvement and repair of the military road between Springfield and Fort Randall in the Territory of Dakota.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and hereby is, appropriated, out of any money in the Treasury not otherwise appropriated, the sum of twenty five hundred dollars, to be expended by and under the direction and authority of the Secretary of War, for the improvement and repair of the military road leading from Sioux City, in the State of Iowa, to Fort Randall, in the Territory of Dakota, the same to be expended between Springfield in said Territory and Fort Randall.

Approved, January 24, 1877.

III...JOINT RESOLUTION authorizing the Secretary of War to supply blankets to the Reform School in the District of Columbia.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to deliver, for

use of the Reform School of the District of Columbia, two hundred Army blankets, from any in his custody belonging to the United States.

Approved, January 26, 1877.

IV...AN ACT for the relief of certain officers of the Third United States Artillery, who suffered by fire at Fort Hamilton, New York Harbor, on the third of March, eighteen hundred and seventy five.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of Treasury of the United States be, and are hereby, authorized to settle with the first lieutenants of the Third United States Artillery who lost their personal effects by fire at Fort Hamilton, New York Harbor, on the third of March, eighteen hundred and seventy-five, at a sum not to exceed six hundred dollars each, and a sufficient sum is hereby appropriated out of any money in the Treasury not otherwise appropriated.

Approved, January 30, 1877.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 8. } ADJUTANT GENERAL'S OFFICE,
Washington, February 8, 1877.

By direction of the Secretary of War the following regulation is published to the Army:—

Hereafter the cap-badges, numbers of regiments, and letters of companies will be worn by enlisted men of the Army in the following manner, viz:

For Light Artillery and Cavalry soldiers—the numbers of their regiments in the upper, and the letters of their companies in the lower, angles of the badges of their respective arms upon the forage caps; the helmets and trimmings according to the patterns now worn.

For Ordnance Sergeants and soldiers—the "shell and flame" on dress and forage caps.

For Hospital Stewards—the letters "U. S." in white metal, inclosed by wreath, on dress and forage caps.

For Commissary Sergeants—crescent in white metal, the points in a vertical line, on dress and forage caps.

For Engineers—the castle, with letter of company above it, on dress and forage caps.

For Artillery—the crossed cannon, with number of the regiment in upper, and letter of company in the lower, angles, on dress and forage caps.

For Infantry—the crossed rifles, with the numbers of regiment and the letters of company placed as for Artillery, upon dress and forage caps.

For Field and Band Musicians—bugle, with numbers of regiment in the centre, and the letters of the company above the bugle.

The cap trimmings for enlisted men of all arms and corps will be of yellow metal, unless otherwise specified.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 9. } ADJUTANT GENERAL'S OFFICE,
Washington, February 10, 1877.

By direction of the Secretary of War the following order is issued:—

To test the practicability of making shoes for the Army by the labor of the prisoners at the Military Prison at Fort Leavenworth, the following steps will be taken as soon as possible:

1st. The Commandant of the prison will place and keep at work at least seventy-five prisoners at making shoes, under the direction of the Quartermaster's Department, in the manner provided for in the Regulations of the Prison adopted by the Board of Commissioners on the 8th instant.

2d. The Quartermaster's Department will provide the requisite tools and materials, and employ the necessary civilian labor, for the purpose of carrying on the labor as prescribed.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 10. } ADJUTANT GENERAL'S OFFICE,
Washington, February 12, 1877.

I...The Court of Inquiry of which Colonel *O. B. Willcox*, 12th Infantry, is President, instituted by Special Orders No. 57, Headquarters Military Division of the Pacific, April 28, 1876, on the application of Lieutenant Colonel *Asher R. Eddy*, Deputy Quartermaster General, and Captain *William P. Martin*, Military Storekeeper, Quartermaster's Department, "to examine into certain frauds upon the Government committed by *Charles H. Barth*, a clerk in the Depot of the Quartermaster's Department," in San Francisco, "and to investigate all the business transactions of these officers in connection with their administration of the Depot in San Francisco," has reported the following Facts and Opinion, viz:—

FACTS.

"The Court proceeded to the investigation by first calling on the Acting Assistant Inspector General, Lieutenant Colonel *J. C. Kelton*, Assistant Adjutant General, for the submission of his reports made in this case in which the frauds, forgeries, and irregularities charged were brought to light, and his evidence in explanation of the same.

"The disclosures herein made establish the facts that in March, 1874, these fraudulent transactions commenced and continued until February, 1876, pretty evenly distributed throughout the months embraced between these dates, and was confined in the main to transportation vouchers made with the Colorado Steam Navigation Company and the contractors for the delivery of public stores to interior posts. These public stores were shipped by Captain *W. P. Martin*, Military Storekeeper, U. S. Army, Acting Assistant Quartermaster. In most cases bills of lading were made out signed by the shipper and the carrier, the originals left in the hands of the carrier, and the duplicates sent by the shipper to the consignee. The duplicate was copied into the 'Transportation Record Book,' in Captain Martin's office.

"Generally the original bill of lading in the hands of the carrier was just returned accomplished and payment demanded thereon. Captain *Martin* took these originals, compared them with his 'Transportation Record Book,' and when they agreed had the accounts

made up by *C. H. Barth*, Transportation Agent, in Captain *Martin's* office, certified and sent them to Lieutenant Colonel *A. R. Eddy*, Deputy Quartermaster General, in charge of the Depot of San Francisco, for payment. In this routine of business the opportunity for fraud was opened to the skill and deception of *Barth*, who, after the accomplished bill of lading had been compared with the book by Captain *Martin*, proceeded to make up the account, and in doing so raised the amount of stores shipped on the bills of lading, and in some cases forged the names of consignee and carrier, presuming that Captain *Martin* would not again compare them, and knowing that Colonel *Eddy*, relying solely on Captain *Martin's* certificate, would not examine them, but pay them as certified, trusting for his (*Barth's*) security that no comparison of accounts would be made between Colonel *Eddy* and Captain *Martin*. Then on these raised vouchers a check would be drawn by Colonel *Eddy*, and when on fraudulent vouchers some how these checks always got into the hands of *Barth*, aforesaid clerk, who, when the checks were drawn to order, forged the endorsement, sold them to a money-broker for coin, paid the payees of the checks the amount due them, and kept the balance.

"To accomplish this he frequently got the receipts signed in blank, sometimes on the plea that the receipts could not be filled up until they knew the discount on currency. The accounts were payable in coin or its equivalent.

"On Transportation Requests for the transportation of troops, the number of men has been raised over the signature of the officers, and baggage paid for largely in excess of the amount allowed them; this when no baggage should have been entered on the transportation requests in excess of the passage allowance. Transportation Requests have had large amounts of baggage inserted in them that the officers signing them say was not there when they signed them, and, as acknowledged in one case, was inserted by the agents of the carrier.

"Large frauds were committed again in the accounts of the contractor for drayage in this city. These accounts seem to have been made up on forged memoranda—*Barth* taking advantage of an illiterate man, (the drayage contractor,) and getting his receipts to the vouchers by paying just what was due him and keeping the balance.

"In all these cases of fraud and forgery the evidence points to *Barth* alone as the actor, without assistance or confederates.

"The responsibility to the United States for the amount of the checks with forged endorsements is contested, and will, it is presumed, be settled in the civil courts, as will also the responsibility of carriers who have receipted for more money than they have actually received.

"In the accounts for transportation of troops and baggage by the Colorado Steam Navigation Company, both Colonel *Eddy* and Captain *Martin* appear to have failed to make deduction from the amount of baggage charged of the amount allowed each steerage passenger, and of the food (rations) furnished by the United States from the price of steerage passage.

"The business in the offices of Colonel *Eddy* and Captain *Martin* seems to have been done with regularity and system. So much so that the shrewd clerk probably relied upon it for his security, thinking they would not depart from a routine so long followed and so much to their satisfaction, as it had passed their accounts with Inspector General, Quartermaster General, and the accounting officers of the Treasury.

"Besides this, *Barth* was a man of good address, intelligent, and thoroughly acquainted with his business, and, as will be seen in the evidence, esteemed as of undoubted integrity. The evidence shows that he was a heavy dealer in stocks in this city; the knowledge of which fact ought to have caused more than routine scrutiny in the examination of all accounts made up and paid by himself.

"The charge against Colonel *Eddy* for paying high prices for purchases in this city, necessarily led to a laborious and tedious investigation, on account of the vague nature of the evidence the Court were able to procure. A great deal of evidence was taken, and all the articles purchased varied much in price according to quality. The Court not having the articles before them, could not decide the quality, but assuming that they were all of the best, the evidence does not show that they were greatly at variance with the full market prices. Colonel *Eddy* seems to have selected the largest houses in the city and sent his orders to them, without canvassing the market to see if he was buying the best article at the lowest market rate. In some cases he did this, and it would have been better

if he had pursued the usual course and invited proposals by circular letters to reputable dealers, or advertised, where time permitted, as required by law.

"The Court has not gone into a close scrutiny of Colonel *Eddy's* accounts to determine the extent of *Barth's* frauds. It will require the close examination of an expert to do so accurately; but will say generally that these frauds amount to about one hundred and fifty thousand dollars currency. About fifty thousand dollars has been recovered from *Barth*, and is now in the hands of Mr. L. McLean, as trustee for the United States."

OPINION.

"The Court is therefore of the opinion—as there was no apparent ground for suspicion against *Charles H. Barth*, a trusted clerk of long standing in the Quartermaster's Department, and as there is no protection against forgery—that neither Lieutenant Colonel *Eddy* nor Captain *Martin* has been guilty of culpable carelessness or neglect in regard to his (*Barth's*) frauds; but the Court do not wish to be understood as approving of the method in which business has been done by the officers in question, growing out of the practice of their predecessors, namely: the transportation of surplus baggage on transportation requests instead of bills of lading, as required by long standing orders of the War Department, and the want of care and precision in shipping troops, together with their fare and baggage, as passengers; the purchase of stores in violation of pages 738 and 739, sections 3709 and 3716, Revised Statutes of the United States, and, finally, to the want of personal supervision of vouchers for payment and the loose manner in which the checks for payment have been left to reach the payees.

"In view of the fact, however, that Lieutenant Colonel *Eddy* and Captain *Martin* have undoubtedly acted in good faith, the Court do not consider that any further action is called for by military courts."

II...The following are the orders of the Department in the case:—

WAR DEPARTMENT,
February 1, 1877.

The foregoing proceedings of a Court of Inquiry having been transmitted from the Headquarters of the Military Divison of the Pacific to the Secretary of War, were by him submitted to the President, by whom the proceedings are approved.

The President concurs in the Opinion of the Court that Lieutenant Colonel *Eddy* and Captain *Martin* were not guilty of culpable carelessness, and that as they acted in good faith no further action should be taken by military courts.

The President desires, however, to call the attention of the disbursing and other officers of the Army to the minor degree of carelessness of which these officers were guilty—in the want of personal supervision of vouchers, and in not making it their duty to see that the checks did actually reach the persons in whose favor they were drawn. The chiefs of bureaus will prescribe such regulations as will prevent the recurrence of such loose methods of business in the future.

Lieutenant Colonel *Eddy* will be assigned to his appropriate duties as soon as the Quartermaster General shall consider his accounts so far settled as no longer to require his presence in this city.

J. D. CAMERON,
Secretary of War.

III...The Court of Inquiry of which Colonel O. B. WILLCOX, 12th Infantry, is President is dissolved.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS
No. 11.

HEADQUARTERS OF THE ARMY,
ADJUTANT GENERAL'S OFFICE,
Washington, February 12, 1877.

By direction of the Secretary of War the following regulation is published to the Army:—

Hereafter General Officers above the grade of Brigadier General will be allowed, at their option, to wear the sash across the body from the left shoulder to the right side.

The sash may be of buff silk and gold thread.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 12. } ADJUTANT GENERAL'S OFFICE,
Washington, February 19, 1877.

The laws for the establishment of a military prison, and the regulations for its government, are published in accordance with the following orders of the Secretary of War:

"Under the provisions of the Act of March 3, 1873, establishing the military prison, the following regulations for its government, prepared by the Board of Commissioners, are hereby adopted, to take effect the 1st proximo.

"They will be published in General Orders, together with the laws on the subject, and will be strictly enforced and obeyed."

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

LAWS AND REGULATIONS

FOR THE

GOVERNMENT OF THE MILITARY PRISON AT FORT LEAVENWORTH, KANSAS.

PART FIRST.

LAWS.

AN ACT to provide for the establishment of a military prison, and for its government.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be established at Rock Island, in the State of Illinois, a prison for the confinement and reformation of offenders against the rules, regulations, and laws for the government of the Army of the United States, in which shall be securely confined, and employed at labor, and governed in the manner hereinafter directed, all offenders convicted before any court-martial or military commission in the United States, and sentenced according to law to imprisonment therein.

SEC. 2. That the Secretary of War shall organize a board of five members, to consist of three officers of the Army and two persons from civil life, who shall adopt a plan for the building of such prison, and who shall frame regulations for the government of the prisoners, in accordance with the provisions of this act. The said commissioners from civil life shall hold their offices for the term of three years, and shall be paid five dollars a day while on duty, and necessary traveling expenses; and the said officers of the Army shall, at all times, be subject to removal by the Secretary of War.

SEC. 3. That the Secretary of War shall, with said commissioners, semi-annually, and as much oftener as may be deemed expedient, visit said prison for the purposes of examination, inspection, and correction;

and they shall inquire into all abuses or neglects of duty on the part of the officers or other persons in charge of the same, and make such changes in the general discipline of the prison as they may hold to be essential.

SEC. 4. That the officers of the prison shall consist of a commandant and such subordinate officers as may be necessary, a chaplain, a surgeon, and a clerk, who shall be detailed by the Secretary of War from the commissioned officers of the Army; and a sufficient number of enlisted men shall be detailed by the Secretary of War to act as turnkeys, guards, and assistants in the prison.

SEC. 5. That one of the inspectors of the Army shall, at least once in three months, visit the prison for the purpose of examining into the books and all the affairs thereof, and ascertaining whether the laws, rules, and regulations relating thereto are complied with, the officers are competent and faithful, and the convicts properly governed and employed, and at the same time treated with humanity and kindness. And it shall be the duty of the inspector, at once, to make full report thereof to the Secretary of War.

SEC. 6. That before the commandant enters upon the duties of his office he shall give bond, with sufficient sureties, in a sum to be fixed by the Secretary of War, to be approved by him, conditioned that he shall faithfully account for all money placed in his hands for the use of the prison, and for the faithful discharge of all his duties as commandant. He shall have command of the prison; shall have the charge and employment of the prisoners, and the custody of all the property of the Government connected with the prison. He shall receive and pay out all money used for the prison, and shall cause to be kept, in suitable books, complete accounts of all the property, expenses, income, business, and concerns of the prison; and shall make full and regular reports thereof to the Secretary of War; and shall, under the direction and with the approval of the Secretary of War, employ, for the benefit of the United States, the convicts at such labor and in such trades as may be deemed best for their health and reformation. He shall have power to sell and dispose of any articles manufactured by the convicts, and shall regularly account for the proceeds thereof, and shall give bond and security for the faithful keeping and accounting of all moneys and property coming to his hands as such commandant. He shall take note and make record of the good conduct of the convicts, and shall shorten the daily time of hard labor for those who, by their obedience, honesty, industry, or general good conduct, earn such favors; and the Secretary of War is authorized and directed to remit, in part, the sentences of such convicts, and to give them an honor-

able restoration to duty in case the same is merited; and in case any convict shall disobey the lawful orders of the officers of the prison, or refuse to comply with the rules and regulations thereof, he may be placed in solitary confinement, and the commandant shall at once report the case to the Secretary of War, who shall direct the inspector to make full examination and report of the matter at the next inspection; but in no case shall any prisoner be subjected to whipping, branding, or the carrying of weights, for the purpose of discipline or for producing penitence; and every prisoner, upon being discharged from prison, shall be furnished with decent clothing.

SEC. 7. That the use of newspapers and books shall not be denied the convicts at times when not employed; and that unofficial visitors shall be admitted to the prison under such restsictions as the board of commissioners may impose. The prisoners shall not be denied the privilege of communicating with their friends by letter, and from receiving like communications from them, all of which shall be subject to the inspection of the commandant, or such officer as he may assign to that duty.

SEC. 8. That the prisoners shall be supplied with ample and clean bedding, and with wholesome and sufficient food; but when in hospital or under discipline their diet shall be prescribed by the proper authority. The prison shall be suitably ventilated, and each prisoner shall have a weekly bath of cold or tepid water, which shall be applied to the whole surface of the body, unless the surgeon shall direct otherwise for the health of the prisoner.

SEC. 9. That no officer of the prison, or other person connected therewith, shall be concerned or interested, directly or indirectly, in any contract, purchase, or sale made on account of the prison.

SEC. 10. That any officer who shall suffer a convict to escape, or shall in any way consent to his escape, or shall aid him to escape or in an attempt to escape, shall, upon conviction, be dismissed from the service, and suffer such other punishment as a court-martial may inflict.

SEC. 11. That any soldier or other person employed in the prison who shall suffer a convict to escape, or shall in any way consent to his escape, or shall aid him to escape or in an attempt to escape, shall, upon conviction by court-martial, be confined therein not less than one year.

SEC. 12. That all prisoners under confinement in said military prisons undergoing sentence of courts-martial shall be liable to trial and punishment by courts-martial under the Rules and Articles of War for offenses committed during the said confinement.

Approved March 3, 1873.

AN ACT to amend an act entitled "An act to provide for the establishment of a military prison and for its government," approved March third, eighteen hundred and seventy-three.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That said act be, and the same is hereby, so amended that all acts and things therein required to be done and performed at Rock Island, in the State of Illinois, shall be done and performed on the military reservation at Fort Leavenworth, in the State of Kansas: *Provided,* that the Government buildings now on said military reservation at Fort Leavenworth shall be modified and used so far as practicable for the purposes of said prison.

Approved May 21, 1874.

PART SECOND.

—o—

REGULATIONS.

—o—

ARTICLE I.—OFFICERS OF THE PRISON.

The Commandant.

With a view to the unity of command and military administration, the Department Commander stationed at Fort Leavenworth shall, *ex officio*, be the Commandant of the Prison.

The general duties of the Commandant are laid down in the laws establishing the prison.

The Commandant shall, as soon as practicable after the 30th day of June, in each year, cause to be made full and detailed accounts, to be closed on that day, of all the receipts, disbursements, expenses, and profits of the prison; and shall, at the close of each fiscal quarter, render full accounts of all the receipts and disbursements, and a return of property; all of which accounts shall be sent to the War Department.

He shall also, from time to time, submit to the Commissioners, through the Secretary of War, such recommendations for amendment in the rules and regulations for the government of the prison as his experience may suggest.

He shall carefully supervise the government, discipline, and police of the prison; give all necessary directions to the officers and employés under his command, and, from time to time, examine into the state of the prison, and the health, condition, and safety of the prisoners.

To aid the Commandant in the discharge of his duties as such, and, at the same time, enable him to attend to the command of his department, commissioned officers will be detailed for the following subordinate offices, viz:

The Governor.

The Governor of the Prison shall, under the orders of the Commandant, have the command of the other subordinate officers of the prison.

He shall have the immediate charge of the discipline of the prisoners; of enforcing the rules of the prison as to their labor and diet, and as to the police of the prison.

He shall, under the Commandant, have the books kept relating to the conduct of the prisoners, with a view to their classification and the abatement or remission of their sentences.

He shall, under the direction of the Commandant, classify the prisoners, as hereinafter directed, and promote or retrograde them from one class to another.

He shall make daily reports to the Commandant, and oftener, if necessary, of everything connected with his duties.

Adjutant.

The Adjutant shall, under the direction of the Governor, have charge of all the books and records hereinafter designated, and perform such other duties appertaining to his position as may be required of him by the Governor.

Quartermaster and Commissary.

The Quartermaster shall, under the direction of the Commandant, make all purchases of stock required to carry on the several industries pursued in the prison, (except in cases of employment of prisoners within the prison, by the Quartermaster's Department, on work carried on by that Department, and for which it pays the prison a fixed sum per day for each day's work it employs,) and have custody of the same, issuing it only on requisition from the Superintendents of labor, approved by the Commandant, or the Governor in his name. He shall keep his accounts in the manner prescribed by Army Regulations, and for all purchases made shall give an order for payment on the prison treasury, to be paid by check of the Commandant; and shall, under the direction of the Commandant, sell the productions of the prison.

The Commissary, when no special appropriation shall have been made for subsistence for the prison, shall, under the direction of the Governor, make requisition, upon the proper officers, for subsistence stores, and where an appropriation has been made specifically for the subsistence of the prisoners, he shall make such purchases as may be required, and issue the same upon requisitions of the proper officers when approved by the Governor. Where subsistence is drawn from the Subsistence Department, he will draw such articles only, and to the extent only, as are prescribed in the diet table for prisoners, and will sell to the Commissary that portion of the ration not drawn, and from the proceeds will form a prison fund analogous to a company fund. From this fund he will make such purchases as may be needed to supply the diet as established, and

disburse the surplus in the purchase of such books and papers for the exclusive benefit of the prisoners as may be ordered by the Commandant.

He will make return of this fund as if it were a company fund.

He shall keep his accounts in the manner prescribed by Army Regulations, and for all purchases made shall give an order for payment on the prison treasury, to be paid by the check of the Commandant.

Chaplain.

The Chaplain shall perform divine service at least once each Sunday, instruct the prisoners in their moral and religious duties, and devote his whole time to the moral improvement of the prisoners.

He shall have charge of the prison library, and the management of the schools for the instruction of the prisoners.

He shall, with the consent of the Surgeon, visit the sick in hospital.

Surgeon.

The duties of the Surgeon shall be the same, as nearly as possible, as those of a medical officer on duty at a military post. He shall make the stated reports and returns called for by the Regulations of the Medical Department, and such special reports and returns as the Commandant may require.

ARTICLE II.—ENLISTED MEN.

There shall be a Hospital Steward and a Commissary Sergeant appointed, and there shall be detailed, from the General Service, a Sergeant, to do the duty of a Quartermaster Sergeant—all to discharge their appropriate duties under the Surgeon, Quartermaster, and Commissary.

There shall be detailed or enlisted a sufficient number of Sergeants from the General Service, to act as Provost Sergeants, who shall be placed in charge of prisoners, and shall aid in enforcing dispicline.

Until the completion of a prison-wall shall permit a less number and a different system, there shall be detailed, or enlisted from or in the General Service, sixty men, to act as guards to the prison and the prisoners when at work. This guard shall be under the command of two commissioned officers to be detailed for that purpose, and who shall perform such duties in aid of the discipline and safe-keeping of the prisoners as the Commandant may direct.

It will be reduced as soon as the state of the prison may warrant.

Article III.—Civilian Employés.

Civilian Superintendents of labor and instruction shall hold no intercourse with any prisoner not employed under them, nor with them upon any subject other than the business of the shop, and shall confine their conversation with prisoners to the narrowest limit consistent with imparting necessary instruction.

They shall confine themselves strictly to their business, and shall not leave the shops where they are employed, to visit any other part of the prison.

Their intercourse with the officers of the prison, when on duty, shall be such, only, as is connected with the business under their direction.

They are not, under any circumstances, to inflict punishment or enforce discipline upon any prisoner.

They are expected to report to the Provost Sergeants on duty in their department all violations of the rules and regulations which come under their observation.

One or more of the instructors shall remain in the shops while the prisoners are absent for meals.

Article IV.—Prisoners.

Admission of Prisoners.

Every prisoner, on admission, will be placed in a reception cell, and minutely and strictly searched, and deprived of everything in his possession, except his clothing. He will be then taken to the bath-room and thoroughly washed, and clad in the prison dress; his hair cut close to his head, and his beard, whiskers, and moustaches shaved off.

A list of all the articles taken from him, and of the citizens clothes, if any, will be made and entered in a book, to be signed by both the prisoner and the official receiving him. The clothing will be cleansed, and, together with the other articles, will be placed in store suitably marked with the prisoner's number, and left there till his discharge, when they will be returned to him on his signing, in the book, a receipt for the same.

Each prisoner, on his admission, will receive a number by which he will be known while in the prison, the number to be made from colored cloth and attached to his clothing.

Classification.

Prisoners will be divided into three classes, to be known as the first, second, and third classes. Each class will be designated by a distinctive badge, to be attached to some conspicuous part of the outer garment of the prison dress. On being assigned to a class, each prisoner will be made acquainted, by the person in charge, with the rules relating to the conduct and treatment of prisoners. A copy of these rules will be kept posted in each prison room and cell.

On their admission, prisoners will—except in very special cases—be placed in the third class.

Prisoners of the third class, *whose conduct may warrant it,* shall, after at least ten days therein, be promoted to the second class.

Prisoners of the *first* class will be composed of those whose quiet, orderly habits, and general good conduct in class second, may, after some experience has been gained of their character, be found worthy of promotion from that class.

Promotions of prisoners will be made by the order of the Commandant, on the report of the Governor.

Diet.

The diet of prisoners of all classes shall be as follows:

Breakfast.—Half a pint of milk and ten ounces of oat-meal, or twelve ounces of corn-meal.

Dinner.—On Mondays, Wednesdays, Fridays, and Saturdays—half a pint of milk and ten ounces of oat-meal, or twelve ounces of corn-meal.

On Tuesdays—eight ounces of bread (of quality furnished the troops) and the Army ration of pork, beans, salt, pepper, and vinegar, or the same dinner as prescribed for Thursdays, as the Commandant may direct.

On Thursdays—eight ounces of bread and the Army ration of fresh beef, salt, pepper, and vinegar, and two pounds of potatoes, or fresh vegetables.

Supper.—Half a pint of milk and fourteen ounces of bread. Prisoners of the first and second classes shall have, on Sundays, the same dinner as is prescribed for Thursdays, and prisoners of the first class shall have coffee and sugar for breakfast, the same in quality and quantity as that furnished the Army.

Prisoners sick in hospital shall have such diet as the medical officer may determine.

In cases of persons under medical treatment, bread may be substituted for either oat-meal or corn-meal, when deemed necessary by the medical

officer, in the following proportions: Fourteen ounces of bread for either ten ounces of oat-meal or twelve ounces of corn-meal.

A prisoner "under discipline in solitary confinement" will have eighteen ounces of bread each day, and as much water as he may desire.

On Thanksgiving day, Christmas, New Year's, and Fourth of July, the prisoners of all classes shall have such special meat and vegetable dinner as the Commandant may provide.

Clothing.

Prisoners will, from time to time, be furnished with such articles of clothing as they may require. No military button or badge shall be worn, and on the under-clothing of each prisoner shall be marked his prison number.

When Army clothing is issued it will, if practicable, be dyed some uniform distinctive color, and when cloth is purchased for the manufacture of clothing, the color prescribed for Army uniforms shall not be used.

Discipline.

The Governor shall at all times be ready to receive any complaint or application from a prisoner, and, if the case calls for it, to submit it to the Commandant.

He shall hear all reports touching offenses against discipline and good order.

Any act of a prisoner, which, if committed by a soldier, would constitute an offense under the Articles of War, is to be tried by a General or Garrison Court-Martial, according to the nature and degree of the offense, by direction of the General commanding the Department.

For neglect of the rules of the prison, or of the directions of any officer or non-commissioned officer; or for whistling, singing, laughing, or making any unnecessary noise; or for unauthorized talking; or for endeavoring to have communication with another prisoner, or with any one connected with the prison, or not, contrary to rule; or for having in possession any articles not allowed; or for defacing, damaging, or writing on the walls; or for other minor delinquencies not sufficiently grave to be brought before a court, the Governor will, for the first offense, admonish the offender; for the second, if repeated within a short period of time, he may place him "under discipline," and deprive him of a supper or other meal; or may, with the sanction of the Commandant, retrograde him, or place him "under discipline," in solitary confinement, the latter punishment not to exceed more than twenty-four hours.

The admonishment will always be given in a quiet or low tone of voice, and, if possible, out of the hearing of the other prisoners.

A record will be made by the Governor, in his daily report-book, of any admonishment, deprivation of a meal, or solitary confinement, "under discipline," in a cell, and the delinquencies for, or on account of, which they were given.

A strict rule of silence among prisoners will be rigidly enforced, with the exceptions mentioned in these regulations.

Prisoners are in no case to be associated, except under the control of an officer or Provost Sergeant of the prison.

No Provost Sergeant or other subordinate, or civil Superintendent of labor, shall converse with any prisoner, except in the discharge of his duty and on subjects directly connected therewith.

All officers or non-commissioned officers in charge of parties or classes of prisoners are required to watch the prisoners in their various movements and employments throughout the day and during meals. They are to be vigilant in preventing, by word or sign, any communication between persons and prisoners, except between prisoners and civilians employed to superintend their labor and instruct them therein, and except so far as is allowed prisoners of the first class, as hereinafter stated; and to prevent communication from prisoners to themselves, except such as relates to the duties of the prison and the necessities of its inmates.

Officers, non-commissioned officers, or soldiers, employed as night-watchmen within and without the prison, are to watch vigilantly over the prisoners throughout the night, and to preserve silence and decorum.

After 6 o'clock p. m., except during the hours appointed by the Commandant for reading or school instruction, prisoners of the first class will be allowed to communicate with each other, in an orderly and quiet manner, always under the superintendence of an officer or non-commissioned officer of the prison.

Abatements in the sentence, (as provided for in War Department General Orders No. 64 of 1875,) and remission of sentence, or any portion thereof, will be confined to cases of prisoners of the first class.

The prisoner is to obey immediately the orders he receives. He is to be respectful to those set over him, and to observe the rules for his government.

Every prisoner shall, at all times, conduct himself in a quiet, orderly manner. Violations of this rule will be followed promptly by appropriate punishment.

The use of profane or indecent language will not be tolerated.

Quartermaster's Department to the Army, the following rules will be observed:

1st. The Quartermaster's Department will furnish all the necessary materials and tools, and will be responsible for the quality, the quantity, and the economical use and expenditure of the same.

2d. It will employ and pay all civil employés necessary to instruct the prisoners and inspect their labor, and will be responsible that the work is done in a workmanlike and thorough manner, and that the articles manufactured are suitable in workmanship and pattern for issue to the Army.

3d. The funds for the purchase of materials and tools, and for the hire of civil instructors, will be had from the appropriation for the branch of the Quartermaster's Department applicable to the purchase of the articles manufactured.

4th. All, in the way of administration, that the Commandant of the Prison will be responsible for, in this matter, will be for the sums paid him by the Quartermaster's Department for the daily labor of the prisoners employed, and of which he will have a correct account kept by the Governor of the Prison, to be verified by the one kept by the Quartermaster in charge.

5th. In all that concerns the purchase of materials, the hire of employés, and the shipment of shoes, boots, or other articles made under his superintendence, the Quartermaster of the prison will make his report or returns to, and receive his orders direct from, the Quartermaster General.

In all other matters he will be under the Commandant of the Prison.

6th. The labor done by prisoners, either in or outside of the prison, for the Quartermaster's or Commissary's Departments of the Army, will be charged to these departments at the rate of thirty cents a day for labor in the shops, and twenty cents a day for unskilled labor, for every eight hours' labor of a prisoner, and at that rate for a less period than eight hours.

7th. The money coming into the hands of the Commandant from this source, as well as from sales of articles manufactured, or labor done, for individuals, will be disbursed by him for the benefit of the United States, in making in whole, or in part, the prison self-supporting; and the sums thus accruing will be exclusively devoted to objects which will effect this purpose.

The labor of prisoners will, under the rules herein established, be regulated throughout the day by the Governor, under the instructions of the Commandant, with due consideration of light and weather as regards the time of open-air and in-door employment.

ARTICLE V.—BOOKS AND ACCOUNTS.

The following books and accounts are prescribed:

A register of prisoners shall be kept in the office of the Commandant, in which shall be recorded the name, company, regiment, file number of descriptive list and accompanying papers, and date of entry into prison of each prisoner; the military department where tried; the number of the order promulgating sentence; period of confinement; date of discharge from service; health, and result of physical examination by the Surgeon; height and weight at date of admission; and at his discharge a record of any marks or peculiarities on his person and in his manner that would serve to identify him; nativity; name of nearest relative, with address; his prison number and the number of his cell; the class in which he is serving; his promotion or reduction in grade; the character of the labor in which he is employed, together with a complete summary of his prison history up to the date of his discharge from confinement.

This book shall contain an index of names, with a reference to other books from which entries are transferred.

A morning report book shall be kept similar to a "Company Morning Report Book," with headings to show the whole number of prisoners, with casualties for the day; the number sick in the hospital or cells; and the number employed in workshops and otherwise; giving, as far as practicable, each kind of work under a separate heading.

The remarks appended to the report shall show all the incidents necessary to be preserved in regard to the prisoners, which are not exhibited in the "Provost Sergeants' Reports of Time and Conduct."

Provost Sergeants' Reports of Time and Conduct.—These books shall be ruled similar to a "Company Morning Report Book," except that the vertical column shall have as a heading the names of the prisoners forming the section. Each day, opposite the day of the month, and under the name of the prisoner, shall be entered, by a system of abbreviation, a statement of the prisoner's labor and conduct during the day, and in the space allotted to remarks, such comments on the prisoner's course as may be called for. This book taken with the morning report book must embrace all the information necessary for the Commandant or an inspector to form a reliable estimate of the deserts of each prisoner.

Cash-book.

Stock-book, showing stock purchased and expended.

Sales-book, exhibiting all sales.

Account-book, of prisoner's money, in which shall be entered the amount

found in possession of a prisoner on his arrival, or afterward placed to his credit, and the disposition made of it.

Delinquency-book.

Letter-book.

Book of letters received.

Index of letters.

Indorsement-book.

General order book.

Special order book.

Files of descriptive lists and general court-martial orders.

A conduct-book shall be made up in the office of the Commandant, from the morning report book and Provost Sergeants' reports of time and conduct, giving a full and complete record of the conduct of each prisoner during his confinement.

ARTICLE VI.—SCHOOL AND LIBRARY.

There shall be instituted a school for the instruction of prisoners of the first and second classes, which shall be under the superintendence of the Chaplain; the different classes to be organized under the direction of the Commandant.

There shall be instituted a prison-library, made up of such works and newspapers as may be approved by the Commandant, and all prisoners, save such as are undergoing punishment for violation of the rules and regulations, will be permitted to select from the catalogue and read in their cells or rooms such volumes and papers as they may wish.

ARTICLE VII.—GENERAL RULES.

No person shall be allowed in the corridors of the prison after the prisoners are locked up at night, except officers and guards.

The officers or guards on duty in the guard-room will not be permitted to read any book or paper while the prisoners are out of their cells.

The officers and guards shall not permit any person to go on the walls, or enter the prison, without authority from the Commandant or executive officer.

Visitors will not be permitted to enter the prison unless accompanied by an officer or guard; and, when within the prison, will be under the surveillance of the officer or guard accompanying them.

Visitors will have no intercourse with the prisoners, and when passing through the prison will conduct themselves in a quiet and orderly manner. Loud talking, laughing, and personal allusion to prisoners, by pointing or otherwise, will not be permitted.

No vinous, alcoholic, or malt liquors will be allowed upon the prison grounds, except for medicinal purposes.

The use of tobacco or cigars by the prisoners is prohibited. No one will be allowed to smoke or use tobacco in the shops, cells, dormitories, or other rooms devoted to the prisoners, or by the Provost Sergeants or guards, except within their own barracks or grounds.

All officers and non-commissioned officers on duty in the prison are enjoined to keep constantly in view the fact that the reformation of its inmates, and their restoration to the service as good soldiers, or to civil life good citizens, was one of the chief objects of the Government in establishing the institution, and it is expected that they will exert themselves earnestly to accomplish such a result.

No punishment or privation of any kind shall be ordered, except by the Commandant, or Governor, or an officer acting as such.

Under no circumstances will two prisoners be confined in the same cell at the same time. Prisoners must be confined either in separate cells or in dormitories.

Prisoners of the first class, as a rule, will be kept in dormitories; those of the other classes in separate cells.

Prisoners of the first class will take their meals apart from those of the second and third classes. For this purpose they will take their breakfasts and suppers fifteen minutes later or earlier, and their dinner half an hour later or earlier, than those classes, as the Commandant may order.

Immediately after "tattoo" the prisoners will undress, and when the signal for "taps" is given, all will be required to be in bed. Lights must be extinguished at "taps."

The Commandant will give such orders as may be necessary to carry into effect the regulations adopted by the Board of Commissioners.

IRVIN McDOWELL,
Major General,
President of the Board.
WILLIAM H. FRENCH,
Lieutenant Colonel 2d Art'y,
Brevet Major General, U. S. Army.
THOMAS F. BARR,
Major and Judge Advocate,
U. S. Army.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 13. } ADJUTANT GENERAL'S OFFICE,
Washington, February 28, 1877.

By direction of the Secretary of War the following Circular from the Treasury Department, containing instructions concerning the payment of Treasury drafts and official checks of public disbursing officers, is published for the information and guidance of all concerned:—

Circular Instructions Concerning the Payment of Treasury Drafts and Official Checks of Public Disbursing Officers.

TREASURY DEPARTMENT,
Washington, D. C., February 13, 1877.

The following Sections of the Revised Statutes of the United States and the subsequent Regulations are published for the information and guidance of all concerned:

"SECTION 306. At the termination of each fiscal year all amounts of moneys that are represented by certificates, drafts, or checks, issued by the Treasurer, or by any disbursing officer of any Department of the Government, upon the Treasurer or any assistant treasurer, or designated depositary of the United States, or upon any national bank designated as a depositary of the United States, and which shall be represented on the books of either of such offices as standing to the credit of any disbursing officer, and which were issued to facilitate the payment of warrants, or for any other purpose in liquidation of a debt due from the United States, and which have for three years or more remained outstanding, unsatisfied and unpaid, shall be deposited by the Treasurer, to be covered into the Treasury by warrant, and to be carried to the credit of the parties in whose favor such certificates, drafts, or checks were respectively issued, or to the persons who are entitled to receive pay therefor, and into an appropriation account to be denominated 'outstanding liabilities.'"

"SECTION 308. The payee or the bona-fide holder of any draft or check the amount of which has been deposited and covered into the Treasury pursuant to the preceding sections, shall, on presenting the same to the proper officer of the Treasury, be entitled to have it paid by the settlement of an account and the issuing of a warrant in his favor, according to the practice in other cases of authorized and liquidated claims against the United States.

"SECTION 309. The amounts, except such as are provided for in section three hundred and six, of the accounts of every kind of disbursing officer, which shall have remained unchanged, or which shall not have been increased by any new deposit thereto, nor decreased by drafts drawn thereon, for the space of three years, shall in like manner be covered into the Treasury, to the

proper appropriation to which they belong; and the amounts thereof shall, on the certificate of the Treasurer that such amount has been deposited in the Treasury, be credited by the proper accounting officer of the Department of the Treasury on the books of the Department, to the officer in whose name it had stood on the books of any agency of the Treasury, if it appears that he is entitled to such credit.

"SECTION 310. The Treasurer, each assistant treasurer, and each designated depositary of the United States, and the cashier of each of the national banks designated as such depositaries, shall, at the close of business on every thirtieth day of June, report to the Secretary of the Treasury the condition of every account standing, as in the preceding section specified, on the books of their respective offices, stating the name of each depositor, with his official designation, the total amount remaining on deposit to his credit, and the dates, respectively, of the last credit and the last debit made to each account. And each disbursing officer shall make a like return of all checks issued by him, and which may then have been outstanding and unpaid for three years and more, stating fully in such report the name of the payee, for what purpose each check was given, the office on which drawn, the number of the voucher received therefor, the date, number, and amount for which it was drawn, and, when known, the residence of the payee."

REGULATIONS.

(1.) Hereafter any Treasury draft or any check drawn by a public disbursing officer still in service, which shall be presented for payment before it shall have been issued three full fiscal years, will be paid in the usual manner by the office or bank on which it is drawn, and from funds to the credit of the drawer. Thus, any such draft or check issued on or after July 1, 1873, will be paid as above stated until June 30, 1877, and the same rule will apply for subsequent years.

Any such draft or check which has been issued for a longer period than three full fiscal years will be paid only by the settlement of an account in this Department, as provided in section 308 above published; and for this purpose the draft or check will be transmitted to the Secretary of the Treasury for the necessary action.

(2.) The reports of Independent Treasury officers, national-bank depositaries, and public disbursing officers, required by Section 310 above published, will be rendered promptly to the Secretary of the Treasury at the close of each fiscal year.

(3.) Whenever any disbursing officer of the United States shall cease to act in that capacity, he will at once inform the Secretary of the Treasury whether he has any public funds to his credit in any office or bank, and, if so, what checks, if any, he has drawn against the same which are still outstanding and unpaid. Until satisfactory information of this character shall have been furnished, the whole amount of such moneys will be held to meet the payment of his checks properly payable therefrom.

(4.) Hereafter, at the close of each fiscal year, the Treasurer, the several assistant treasurers, and designated and national-bank depositaries, will also render to the Secretary of the Treasury a list of all disbursing officers' accounts

still unclosed which have been opened on the books of their respective offices or banks more than three fiscal years, giving in each case the name and official designation of the officer, the date when the account with him was opened, and the balance remaining to his credit.

(5.) In case of the death, resignation, or removal of a public disbursing officer, any check previously drawn by him and not presented for payment within four months of its date, will not be paid until its correctness shall have been attested by the Secretary or Assistant Secretary of the Treasury.

(6.) If the object or purpose for which any check of a public disbursing officer is drawn is not stated thereon, as required by Departmental regulations or if any reason exists for suspecting fraud, the office or bank on which such check is drawn will refuse its payment.

CHAS. F. CONANT,
Acting Secretary.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 14. } ADJUTANT GENERAL'S OFFICE,
Washington, February 28, 1877.

The General of the Army, with regret, announces the decease of Brigadier General AMOS B. EATON, Brevet Major General, retired.

On graduating from the U. S. Military Academy, in 1826, General EATON was attached to the 4th Infantry as Brevet 2d Lieutenant. He served with that arm, chiefly in the Indian country, until appointed Captain in the Subsistence Department, at the reorganization of the General Staff, in 1838. In this capacity he rendered valuable service in Mexico. He was principally noted in this Department for the personal attention which he always gave to the selection and purchase of the supplies which went from his depot to the whole Army. When it is known that during the first three or four years of the late war he had supervision of the purchasing department in the City of New York, the extent of his responsibility can be readily imagined. He became Commissary General of Subsistence, by regular succession, in June, 1864, and was retired in May, 1874, after an unblemished record of nearly half a century.

As Commissary General of Subsistence he was *ex officio* one of the Commissioners of the Soldiers' Home. In the duties of this office he was greatly interested, and many of the improvements to its estate, near the City of Washington, are due to his carefully studied suggestions.

General EATON was personally a man of kind and amiable temper; steadfast and immovable in his stern probity and sense of right, while courteous in his official and social associations. These traits, added to his undoubted honor and morality of private character, secured for him a large circle of warm friends, both in the Army and in civil life, who will sincerely mourn his sudden and unexpected demise.

On the evening of February 21, 1877, he was seized by an affection of the heart while in attendance in the lecture room of the Yale School of Fine Arts, in New Haven, and before medical aid could be summoned had breathed his last.

As a tribute of respect to his memory the officers of the Subsistence Department will wear the usual badge of mourning for thirty days.

By command of General Sherman:

E. D. TOWNSEND,
Adjutant General.

Official:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 15. } ADJUTANT GENERAL'S OFFICE,
Washington, March 2, 1877.

I...The following extract from the Revised Regulations for the U. S. Military Academy, approved by the Secretary of War—this day received—is published for the information of all concerned:—

1. The Military Academy and the post of West Point shall constitute a separate Military Department, the commander of which shall report directly to the General-in-Chief of the Army. The General-in-Chief, under the War Department, shall have supervision and charge of the Academy. He will watch over its administration and discipline, and the instruction of the Corps of Cadets, and will make reports thereof to the Secretary of War.

II...By order of the President of the United States Major General *J. M. Schofield* is appointed commander of the Military Department of West Point, and, as such, will make his reports direct to the Adjutant General of the Army, in the same manner and to the same extent as Division Commanders. In matters of instruction and financial administration he will address the Secretary of War through the Adjutant General.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

HEADQUARTERS OF THE ARMY,
ADJUTANT GENERAL'S OFFICE,
Washington, March 6, 1877.

[Circular.]

Casualties among the Commissioned Officers of the U. S. Army reported to the Adjutant General's Office during the week ending Saturday, March 3, 1877.

Brigadier General *Amos B. Eaton*, U. S. Army, (retired)—Died February 21, 1877, at New Haven, Connecticut.

2d Lieutenant *Vinton A. Goddard*, 4th Artillery—Died March 2, 1877, at Washington, D. C.

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 16. } ADJUTANT GENERAL'S OFFICE,
Washington, March 12, 1877.

The following extracts of an Act of Congress are published for the information and government of all concerned:—

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and seventy eight, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, for the objects hereinafter expressed, for the fiscal year ending June thirtieth, eighteen hundred and seventy eight, namely:

* * * * *

For fitting up the Armory Building for storage of articles belonging to the United States, including those transferred from the International Exhibition and expense of watching the same, two thousand five hundred dollars.

* * * * *

MISCELLANEOUS OBJECTS.

* * * * *

To protect the piers at the draw of the bridge across the Mississippi river at Rock Island Illinois owned by the United States, by the erection of booms, to be expended under the direction of the Secretary of War, fifteen thousand dollars, and the Chicago Rock Island and Pacific Railway company is required to refund to the Treasury of the United States, one half of the said sum, and the Secretary of the Treasury is hereby directed to enforce this condition

* * * * *

UNDER THE WAR DEPARTMENT.

ARMORIES AND ARSENALS.

For repairs and preservation of grounds, buildings and machinery of the arsenal at Springfield Massachusetts, ten thousand dollars.

Rock Island arsenal: For a rolling mill and forging-shop (shop F.) for the armory at Rock Island arsenal Rock Island Illinois, fifty thousand dollars.

For an iron-working and finishing shop (shop G.) for the arsenal fifty thousand dollars.

For general care, preservation and improvement of sewers, new roads, care and preservation of water power, of permanent buildings and bridges including painting building fences, and grading grounds, and repairs and extension of railroads, and for care and preservation of the Rock Island bridge and expense of operating and maintaining the draw twenty-five thousand dollars.

For repairs of arsenals and to meet such unforseen expenditures at arsenals as accidents or other contigencies during the year may render necessary, thirty thousand dollars.

SURVEYS OF NORTHERN AND NORTHWESTERN LAKES AND MISSISSIPPI RIVER: For continuing surveys of Lakes Erie and Ontario; determination of points in aid of State surveys and construction of maps; continuation of triangulation south from Chicago and east to Lake Erie; survey of the Mississippi River; and miscellaneous one hundred and ten thousand dollars. *Provided*, That the proceeds of the sale of the steamers belonging to the survey of the northern and northwestern lakes shall be placed in the Treasury to the credit of the appropriation of said survey and the whole amount shall be immediately available *Provided further* That twenty five thousand dollars of the foregoing sums shall be expended under the direction of the Chief of Engineers in continuing the survey of the Mississippi River and its tributaries with a view of determining the proper method of reclaiming from overflow the alluvial lands of the Mississippi delta.

The requisite amount is hereby appropriated out of any money in the Treasury not otherwise appropriated, to pay all money that may become due and owing to James B. Eades and his associates in in accordance with the provisions of the act approved March third eighteen hundred and seventy-five, prior to the first of February, eighteen hundred and seventy eight.

The balance not to exceed eighteen thousand dollars of the appropriation of February tenth, eighteen hundred and seventy-five, for surveys for seacoast defences now standing on the books of the Treasury Department is hereby also made available for the surveys

and reconnoisences by the engineer officers attached to the headquarters of the various military divisions and departments and for the publication of maps for the use of the War Department and the Army.

BUILDINGS AND GROUNDS IN AND AROUND WASHINGTON.

Improvement and care of public grounds; For filling in and improving grounds south of Executive Mansion four thousand dollars.

For ordinary care and extension of greenhouses at the nursery, one thousand five hundred dollars

For ordinary care of Lafayette Square one thousand dollars.

For care of and improvement of reservation No 3 Monumental Grounds one thousand dollars,

For annual repair of fences one thousand dollars.

For manure and hauling of the same, one thousand five hundred dollars.

For painting iron fences two thousand dollars.

For repair of seats five hundred dollars.

For purchase and repair of tools five hundred dollars.

For trees, tree stakes, lime and whitewashing two thousand dollars.

For removing snow and ice one thousand dollars.

For flowers, pots, twine and Italian lycopodium five hundred dollars

For abating nuisances five hundred dollars.

For care of and repairs to fountains in the public grounds five hundred dollars

For improving various reservations four thousand dollars.

Provided That no sum of money herein appropriated shall be expended by the Commissioner of Public Buildings and Grounds to take down or remove any iron fence around any square or reservation in the city of Washington.

For ordinary repairs to Bennings and the Anacostia and Chain bridges one thousand dollars.

For pedestal for the statue of General George H. Thomas, the unexpended balance of the sum appropriated for this purpose in the act of July thirty first eighteen hundred and seventy six is hereby reappropriated and rendered available.

For second installment for the colossal statue of Admiral Farragut, five thousand dollars.

For the Naval Monument, the unexpended balance of the sum appropriated to be expended under the direction of the Secretary of the Navy for the purpose of completing the statue of "Peace," platform, steps and circular basin of the naval monument contracted for by the officers of the Navy with Franklin Simmons, by act of July thirty-first, eighteen hundred and seventy six, is hereby re-appropriated and rendered available.

For repairs of the Executive Mansion, refurnishing the same, and fuel for the same and for care and necessary repairs of the greenhouses, twenty thousand dollars.

For lighting the Executive Mansion and public grounds, namely, for gas, pay of lamp-lighters, gas fitters, plumbers and plumbing, lamps, lamp-posts, matches and repairs of all kinds, fuel for watchmen's lodges and for greenhouses at the nursery, fifteen thousand dollars: *Provided*, That the superintendent of meters at the Capitol shall hereafter take the statement of the meters of the several Department buildings in the city of Washington and render to the proper accounting officers of the Treasury Department the consumption of gas each month in said buildings respectively

For repairing and extending water pipes, purchase of apparatus to clean them and for cleaning the springs that supply the Capitol, Executive Mansion and War and Navy Departments, four thousand dollars

Washington aqueduct: For engineering, maintenance and general repairs, fifteen thousand dollars.

For repairs and care of the telegraph to connect the Capitol with the Departments and the Public Printing Office, five hundred dollars.

SIGNAL OFFICE: For expenses of the observation and report of storms by telegraph and signal for the benefit of commerce and agriculture throughout the United States; for manufacture, purchase, or repair of meteorological and other necessary instruments for telegraphing reports, for expenses of storm signals, announcing probable approach and force of storms; for continuing the establishment and connection of stations at life saving stations and light houses; for instrument shelters; for hire, furniture, and expenses of offices maintained for public use in cities or ports receiving reports; for river reports; for books, periodicals, newspapers and stationery; and for incidental expenses not otherwise provided for, three hundred thousand dollars.

Construction, maintenance and repair of military telegraph lines: For the construction and continuing the construction maintenance and use of military telegraph lines on the Indian and Mexican frontiers for the connection of military posts and stations and for the better protection of immigration and the frontier settlements from depredations, especially in the State of Texas and the Territories of New Mexico and Arizona and the Indian Territory, under the provisions of the act approved March third, eighteen hundred and seventy-five, twenty-two thousand five hundred dollars.

For geographical surveys of the territory west of the one hundredth meridian, and for preparing, engraving and printing the cuts, charts, plates and atlas sheets for geographical surveys west of the one hundredth meridian, fifty thousand dollars, which shall be immediately available.

Collection and payment of bounty, prize money, and other claims of colored soldiers and sailors: For salaries of agents and clerks; rent of offices, fuel, lights, stationery, and similar necessaries, office furniture and repairs; transportation of officers and agents; telegraphing and postage fifteen thousand dollars.

For payment of costs and charges of State penitentiaries for the care, clothing, maintenance, and medical attendance of United States military convicts confined in them, fifteen thousand dollars.

For publication of official records of the rebellion, both of the Union and Confederate armies twenty thousand dollars; to be paid to persons only who are not otherwise employed by the Government.

For care and support and medical treatment of seventy five transient paupers medical and surgical patients, in the city of Washington, under a contract to be made with such institution as the Surgeon General of the Army may direct, fifteen thousand dollars; to be expended under his direction.

SUPPORT OF NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS. For current expenses, including construction and repairs, namely, for Central branch, Eastern branch, Northwestern branch, Southern branch, and for out-door relief and incidental expenses, eight hundred and eighty thousand dollars

For the support of the Leavenworth military prison, at Leavenworth, Kansas, forty thousand dollars.

State, War, and Navy Department building. For continuation of the east wing of the building, two hundred and fifty thousand dollars, and for preparing granite for the construction of the north wing,

one hundred and fifty thousand dollars; which shall be immediately available, and expended under the direction of the Secretary of War.

For furnishing artificial limbs or appliances, or commutation therefor, and for transportation, one hundred thousand dollars.

For providing surgical appliances for the relief of persons disabled in the military or naval service of the United States not otherwise provided for, three thousand dollars.

For preparation of illustrations to complete the second edition of the Medical and Surgical History of the War, Part III, twenty five thousand dollars

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Approved, March 3, 1877.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 17. } ADJUTANT GENERAL'S OFFICE,
Washington, March 13, 1877.

The following extracts of an Act of Congress are published for the information and government of all concerned:—

AN ACT making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, eighteen hundred and seventy-seven, and prior years, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated, to supply deficiencies in the appropriations for the service of the Government for the fiscal year ending June thirtieth, eighteen hundred and seventy-seven, and for former years, and for other purposes, namely:

* * * * *

WAR DEPARTMENT.

MILITARY ACADEMY.

For expenses of the board of visitors at the Military Academy, being a deficiency for the fiscal year eighteen hundred and seventy-seven, one thousand dollars.

For transportation of discharged cadets, being a deficiency for the fiscal year eighteen hundred and seventy-six, three hundred dollars.

OFFICE OF THE SURGEON GENERAL.

For purchase of medical and hospital supplies, medical care and treatment of officers and soldiers on detached duty, expenses of purveying-depots, advertising, and other miscellaneous expenses of the Medical Department, being a deficiency for the fiscal year eighteen hundred and seventy-seven, twenty-five thousand dollars.

For furnishing artificial limbs or appliances, or for commutation therefor, and for transportation, being a deficiency for the fiscal year eighteen hundred and seventy-seven, two hundred and twelve thousand nine hundred and forty-seven dollars.

OFFICE OF THE QUARTERMASTER GENERAL.

Barracks and quarters: For payment of amounts certified to be due by the accounting-officers of the Treasury Department for

rent or hire of quarters for troops and for officers on military duty, being a deficiency for the service of the fiscal year eighteen hundred and seventy-one and for prior years, two thousand seven hundred and ninety-seven dollars and thirty-five cents.

Incidental expenses: For payment of amounts certified to be due by the accounting-officers of the Treasury Department for incidental expenses of the Army, being a deficiency for the fiscal year eighteen hundred and seventy-four three thousand four hundred and thirty-two dollars and ninety-five cents.

Horses for cavalry and artillery: For payment of amounts certified to be due by the accounting-officers of the Treasury Department for purchase of horses for the cavalry and artillery, being a deficiency for the year eighteen hundred and seventy-one and prior years, six hundred and sixty-nine dollars.

For payment of amounts certified to be due by the accounting-officers of the Treasury Department for bridge trains and equipage, being a deficiency for the fiscal year eighteen hundred and seventy-one and prior years, two hundred dollars.

OFFICE OF THE COMMISSARY-GENERAL.

For subsistence: To replace the subsistence-stores lost by the burning of the steamer Montana, on the Gulf of California, December fourteenth, eighteen hundred and seventy-six, being a deficiency for the present fiscal year, thirty-six thousand eight hundred and forty dollars and seventy-one cents.

MISCELLANEOUS.

For payment of amounts certified to be due by the accounting-officers of the Treasury Department for the support of the Bureau of Freedmen, Refugees, and Abandoned Lands, being a deficiency for the fiscal year eighteen hundred and seventy-one and prior years, one thousand and thirty-six dollars and ten cents.

For payment of amounts certified to be due by the accounting-officers of the Treasury Department for expenses of military and geographical surveys west of the Mississippi River, being a deficiency for the fiscal year eighteen hundred and seventy-three, twenty-two dollars and thirty cents.

For payment of amounts certified to be due by the accounting-officers of the Treasury Department to the Chronicle Publishing Company for advertising proposals for stone at Rock Island arsenal,

being a deficiency for the fiscal year eighteen hundred and seventy-one and prior years, fifty-four dollars.

* * * * *

PAY OF THE ARMY.

For payment of amounts certified to be due by the accounting-officers of the Treasury Department for pay, traveling, and general expenses of the Army, being for the service of the fiscal year eighteen hundred and seventy-four, seven dollars and sixty-eight cents.

* * * * *

REGULAR SUPPLIES, QUARTERMASTER'S DEPARTMENT.

For payment of amounts certified to be due by the accounting-officers of the Treasury Department for regular supplies of the Army, being for the service of the fiscal year eighteen hundred and seventy-one and prior years, seven thousand two hundred and twenty-three dollars and ninety-eight cents.

For payment of amounts certified to be due by the accounting-officers of the Treasury Department for regular supplies of the Army, being for the service of the fiscal year eighteen hundred and seventy-two, one hundred and twenty-six dollars and forty cents.

For payment of amounts certified to be due by the accounting-officers of the Treasury Department for regular supplies of the Army, being for the service of the fiscal year eighteen hundred and seventy-four, three hundred and seventy-two dollars and fifteen cents.

INCIDENTAL EXPENSES, QUARTERMASTER'S DEPARTMENT.

For payment of amounts certified to be due by the accounting-officers of the Treasury Department for incidental expenses of the Army, being for the service of the fiscal year eighteen hundred and seventy-one and prior years, two thousand four hundred and eighty-three dollars and sixty-nine cents.

BARRACKS AND QUARTERS.

For payment of amounts certified to be due by the accounting-officers of the Treasury Department for rent or hire of quarters for troops and for officers on military duty, and so forth, being for the service of the fiscal year eighteen hundred and seventy-three, two hundred and eight dollars and eighty cents.

For payment of amounts certified to be due by the accounting-officers of the Treasury Department for rent or hire of quarters for

troops, and for officers on military duty, being for the service of the fiscal year eighteen hundred and seventy-four, three hundred and eighteen dollars and eighty-three cents.

TRANSPORTATION OF THE ARMY AND ITS SUPPLIES.

For payment of amounts certified to be due by the accounting-officers of the Treasury Department for transportation of the Army, being for the service of the fiscal year eighteen hundred and seventy-one and prior years, one hundred and eighty-one thousand eight hundred and twenty-eight dollars and twenty-two cents.

For payment of amounts certified to be due by the accounting-officers of the Treasury Department for transportation of the Army, being for the service of the fiscal year eighteen hundred and seventy-three, sixty-one thousand four hundred and ninety-three dollars and four cents.

For payment of amounts certified to be due by the accounting officers of the Treasury Department for transportation of the Army, being for the service of the fiscal year eighteen hundred and seventy-four, fifty-four thousand six hundred and two dollars and ninety-four cents.

HORSES FOR CAVALRY AND ARTILLERY.

For payment of amounts certified to be due by the accounting-officers of the Treasury Department for purchase of horses for the cavalry and artillery, being for the service of the fiscal year eighteen hundred and seventy-two, one hundred and seventy-three dollars.

CLOTHING OF THE ARMY.

For payment of amounts certified to be due by the accounting-officers of the Treasury Department for clothing of the Army, being for the service of the fiscal year eighteen hundred and seventy-one and prior years, four hundred and ninety-three dollars and seventy-seven cents.

SUBSISTENCE OF THE ARMY.

For payment of amounts certified to be due by the accounting-officers of the Treasury Department for subsistence-stores of the Army, being for the service of the fiscal year eighteen hundred and seventy-one and prior years, ten thousand three hundred and seventy-four dollars and fifty-six cents.

For payment of amounts certified to be due by the accounting-officers of the Treasury Department for subsistence-stores of the

Army, being for the service of the fiscal year eighteen hundred and seventy-two, ninety-six dollars.

For payment of amounts certified to be due by the accounting-officers of the Treasury Department for subsistence-stores of the Army, being for the service of the fiscal year eighteen hundred and seventy-three, one hundred and fifty-two dollars and eighty cents.

For payment of amounts certified to be due by the accounting-officers of the Treasury Department for subsistence-stores of the Army, being for the service of the fiscal year eighteen hundred and seventy-four, eighty-five dollars and eighteen cents.

TRANSPORTATION OF OFFICERS AND THEIR BAGGAGE.

For payment of amounts certified to be due by the accounting-officers of the Treasury Department for transportation of officers and their baggage when traveling on duty, being for the service of the fiscal year eighteen hundred and seventy-one and prior years, one hundred and eleven dollars and ninety-four cents.

* * * * *

SUPPORT OF BUREAU OF REFUGEES, FREEDMEN, AND ABANDONED LANDS.

For payment of amounts certified to be due by the accounting-officers of the Treasury Department for the support of the Bureau of Refugees, Freedmen, and Abandoned Lands, being for the service of the fiscal year eighteen hundred and seventy-one and prior years, one hundred and ninety-six dollars and twenty-five cents.

SIGNAL-SERVICE.

For payment of amounts certified to be due by the accounting-officers of the Treasury Department for the Signal-Service of the Army for the fiscal year eighteen hundred and seventy-one and prior years, forty-two dollars.

PAY, TRANSPORTATION, SERVICES, AND SUPPLIES OF OREGON AND WASHINGTON VOLUNTEERS IN EIGHTEEN HUNDRED AND FIFTY-FIVE AND EIGHTEEN HUNDRED AND FIFTY-SIX.

For payment of amounts certified to be due by the accounting-officers of the Treasury Department for pay, transportation, services, and supplies of Oregon and Washington volunteers in eighteen hundred and fifty-five and eighteen hundred and fifty-six, being for the

service of the fiscal year eighteen hundred and seventy-one and prior years, four hundred and twenty-five dollars and ninety-four cents.

MILITARY AND GEOGRAPHICAL SURVEYS WEST OF THE MISSISSIPPI RIVER.

For payment of amounts certified to be due by the accounting-officers of the Treasury Department for expenses of military and geographical surveys west of the Mississippi River, being for the service of the fiscal year eighteen hundred and seventy-three, ten dollars and fifty-six cents.

COLLECTING, DRILLING, AND ORGANIZING VOLUNTEERS.

For payment of amounts certified to be due by the accounting-officers of the Treasury Department for collecting, drilling, and organizing volunteers, being for the service of the fiscal year eighteen hundred and seventy-one and prior years, ninety-five dollars and fifty-eight cents.

MEDICAL AND HOSPITAL DEPARTMENT.

For payment of amounts certified to be due by the accounting-officers of the Treasury Department for medical and hospital supplies and incidental expenses of the Medical Department of the Army, being for the service of the fiscal year eighteen hundred and seventy-one and prior years, two thousand two hundred and sixty dollars and forty-six cents.

For payment of amounts certified to be due by the accounting-officers for medical and hospital supplies, and incidental expenses of the Army, being for the service of the fiscal year eighteen hundred and seventy-three, eleven dollars and ten cents.

CONTINGENCIES OF THE ARMY.

For contingencies of the Army certified to be due by the accounting-officers of the Treasury Department, being for the service of the fiscal year eighteen hundred and seventy-one and prior years, fourteen dollars and ten cents.

EXPENSES OF RECRUITING.

For payment of amounts certified to be due by the accounting-officers of the Treasury Department for expenses of recruiting and transportation of recruits, being for the service of the fiscal year eighteen hundred and seventy-two, twenty-eight dollars and forty cents.

GENERAL EXPENSES.

For payment of amounts certified to be due by the accounting-officers of the Treasury Department for general expenses of the Army, being for the service of the fiscal year eighteen hundred and seventy-two, six dollars and seventy-two cents.

For payment of amounts certified to be due by the accounting-officers for the general expenses of the Army, being for the service of the fiscal year eighteen hundred and seventy-three, two dollars and seventy-two cents.

MILEAGE.

For payment of amounts certified to be due by the accounting-officers of the Treasury Department for allowances to officers of the Army for transportation of themselves and their baggage when traveling on duty, and so forth, being for the service of the fiscal year eighteen hundred and seventy-three, one hundred and twenty-six dollars and sixty cents.

* * * * *

Approved, March 3, 1877.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS
No. 18.

HEADQUARTERS OF THE ARMY,
ADJUTANT GENERAL'S OFFICE,
Washington, March 13, 1877.

By direction of the President Captain *Thomas E. Maley* (retired) is restored to the rank of Lieutenant Colonel on the retired list of the Army, to date from March 3, 1877, in conformity with the following act of Congress:—

AN ACT for the relief of Thomas E. Maley.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Thomas E. Maley, who was, on December fifteenth, eighteen hundred and seventy, duly retired from the active service and placed upon the list of retired officers of the United States Army, with the full rank of lieutenant-colonel, on account of wounds received in battle while performing the duties of lieutenant-colonel in command of eight companies of his regiment, be, and hereby is, excepted and relieved from the operation of the act of Congress entitled "An act for the relief of General Samuel W. Crawford, and to fix the rank and pay of retired officers of the Army," approved March third, eighteen hundred and seventy-five, solely because the injuries received by him in battle are more severe, dangerous, and disabling, and more fully incapacitate and disqualify him for any service, than the loss of an arm or leg, or the permanent disability of an arm or leg by resection, and is hereby restored upon the list of retired officers of the Army to the full rank of lieutenant-colonel, held by him from the date of his retirement up to March third eighteen hundred and seventy-five, with the pay of such rank from the date of the passage of this act, and shall hereafter hold and receive the rank and pay of lieutenant-colonel upon the list of retired officers of the Army.

Approved, March 3, 1877.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 19. } ADJUTANT GENERAL'S OFFICE,
Washington, March 16, 1877.

The following Acts of Congress are published for the information and government of all concerned:—

I...AN ACT to authorize the Ocean City Bridge Company to maintain and operate a bridge heretofore erected over and across Synepuxent Bay in Worcester County, Maryland.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Ocean City Bridge Company, a corporation created by an act of the general assembly of the State of Maryland, passed at the January session thereof, in the year eighteen hundred and seventy-six, be, and it is hereby, authorized to maintain and operate a bridge heretofore built across Synepuxent Bay, from Hommock Point to Ocean City in Worcester County in said State, with all the powers, rights, and franchises, and subject to all the conditions, duties, and obligations, which are conferred and imposed upon said corporation in and by the several provisions of the said act of incorporation.

SEC. 2. If the bridge authorized by the preceding section, shall at any time, in the opinion of the Secretary of War, substantially or materially obstruct the free navigation of the Synepuxent Bay, the same shall under the direction of the Secretary and at the expense of the owner or owners, be so altered or changed as to obviate the obstruction, and if in the opinion of the Secretary, the removal of the bridge shall be necessary to secure the navigation of said bay, such bridge shall within sixty days after notice to that effect, be removed by the owner or owners at his or their expense.

Approved, February 28, 1877.

II...AN ACT for the relief of the board of trustees of the Antietam National Cemetery

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of discharging the balance of the indebtedness incurred by the board of trustees of the Antietam National Cemetery in establishing

the same and improving the grounds thereof and the proper burial therein of the soldiers who fell on the battle-field of Antietam, there be appropriated the sum of fifteen thousand dollars, out of any money in the Treasury not otherwise appropriated, or so much thereof as may be necessary, to be expended under the direction of the Secretary of War, in the liquidation of such indebtedness; and it shall be the duty of the Secretary of War to hereafter provide for the preservation and superintendence of the said cemetery as one of the national cemeteries of the United States under the laws now in force in regard to such national cemeteries: *Provided*, That the said sum of fifteen thousand dollars, or so much thereof as may be necessary, to discharge the present existing indebtedness shall not be paid until the legal title to the said property shall be vested in the United States.

Approved, March 2, 1877.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 20. } ADJUTANT GENERAL'S OFFICE,
Washington, March 17, 1877.

The following Act of Congress is published for the information and government of all concerned:—

AN ACT making appropriations for the support of the Military Academy for the fiscal year ending June thirtieth, eighteen hundred and seventy-eight, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the support of the Military Academy for the year ending June thirtieth, eighteen hundred and seventy-eight:

For pay of three professors, at three thousand five hundred dollars per annum each, ten thousand five hundred dollars.

For pay of six professors at three thousand dollars per annum each, eighteen thousand dollars.

For additional pay of professors for length of service, six thousand seven hundred dollars.

For pay of one instructor of practical military engineering, in addition to pay as first lieutenant, nine hundred dollars.

For pay of one instructor of ordnance and s[c]ience of gun[n]ery, in addition to pay as first lieutenant, nine hundred dollars

For pay of eight assistant professors, in addition to pay as first lieutenants, four thousand dollars.

For pay of three instructors of cavalry, artillery, and infantry tactics, in addition to pay as first lieutenants, one thousand five hundred dollars.

For pay of four assistant instructors of tactics, commanding companies, in addition to pay as second lieutenants, two thousand four hundred dollars.

For pay of adjutant, in addition to pay as first lieutenant, three hundred dollars.

For pay of one master of the sword, one thousand five hundred dollars.

For pay of three hundred and ten cadets, at five hundred and forty dollars each, one hundred and sixty-seven thousand four hundred dollars.

For pay of the teacher of music, one thousand and eighty dollars.

For pay of the Military Academy band, eight thousand nine hundred and ninety-nine dollars; which shall be in full for the pay of the said band for the fiscal year ending June thirtieth, eighteen hundred and seventy-eight, any law to the contrary notwithstanding.

For repairs and improvements, timber, plank, boards, joist, wall-strips, laths, shingles, slate, tin, sheet-lead, nails, screws, locks, butts, hinges, glass, paint, turpentine, oils, bricks, varnish, stone, lime, cement, plaster, hair, sewer and drain pipe, blasting-powder, fuse, iron, steel, tools, mantels, and other similar materials, and for pay of citizen mechanics and labor employed upon repairs that cannot be done by enlisted men, twelve thousand dollars.

For fuel and apparatus, coal, wood, stoves, grates, furnaces, ranges, fire-bricks, and repairs of steam-heating apparatus, fourteen thousand dollars.

For gas-pipes, fixtures, lamp-posts, gas-lamps, gasometers, and retorts, and annual repairs of the same, six hundred dollars.

For fuel for cadets' mess-hall, shops, and laundry, three thousand five hundred dollars.

For postage and telegrams, three hundred dollars.

For stationery, blank books, paper, envelopes, quills, steel-pens, rubbers, erasers, pencils, mucilage, wax, and ink, six hundred dollars.

For transportation of materials, discharged cadets, and ferriages, two thousand dollars.

For printing-type, materials for office, diplomas for graduates, registers, and blanks, five hundred dollars.

For compensation of pressman and lithographer, each fifty dollars, one hundred dollars.

For clerk to the disbursing-officer and quartermaster, one thousand two hundred dollars.

For department of instruction in mathematics, namely: For measuring-tapes, ten dollars; cleaning and repairs of instruments, forty dollars; text-books and stationery for instructors, thirty dollars.

For department of artillery, cavalry, and infantry tactics, namely: For tan-bark for riding-hall and gymnasium, three hundred dollars: repairing camp-stools, tents, and camp-furniture, fifty dollars; furniture for office of commandant of cadets and reception-room for visitors, one hundred and fifty dollars; stationery for use of instructor and assistants, one hundred dollars; text-books, twenty dollars.

For department of civil and military engineering: For models, maps, purchase and repairs of instruments, text books, book of reference, and stationery for the use of instructors, and contingencies, five hundred dollars; for continuing preparation of text-books for special instruction of cadets, five hundred dollars.

For department of chemistry, mineralogy, and geology: For chemicals, including chemical apparatus, glass and porcelain ware, paper, wire, sheet-metal, ores, photographic materials, five hundred dollars; rough specimens, files, alcohol, lamps, blow-pipes, pencils, and steel and agate mortars, for practical instruction in mineralogy and geology; for fossils illustrating the different rock-formations for daily use in section-rooms, and for gradual increase of the cabinet, six hundred and fifty dollars; repairs and additions to electric, galvanic, magnetic, electro-magnetic, magnet[r]o-electric, pneumatic, and therm[at]ic apparatus, seven hundred and fifty dollars.

For receiling, repairing, and painting of section-rooms, two hundred dollars; pay of mechanic employed in chemical and geological section-rooms and in lecture-room, one thousand dollars; models and diagrams, twenty-five dollars; books of reference, text-books, and stationery, for the use of instructors, forty dollars.

For department of natural and experimental philosophy: For additions to the apparatus to illustrate the laws in mechanics, optics, and acoustics, one thousand dollars; books of reference, text-books, repairs, and materials, four hundred dollars; for pay of mechanic, one thousand dollars.

For department of practical military engineering: For mining materials and for profiling; telegraphing and signaling materials; drawing materials, stationery, and text-books; and repairs of instruments, two hundred dollars.

For department of French: For text-books and stationery for the use of instructors, one hundred dollars.

For department of Spanish: For text-books and stationery for the use of instructors, forty dollars.

For department of law: For text-books and stationery and books of reference for the use of instructors, one hundred dollars.

For department of ordnance and gunnery: For books of reference and text-books for instructors, forty dollars.

For keeping in repair instrument and firing houses, sixty dollars.

For models of machines employed in the manufacture of gunpowder and cannon, four hundred dollars.

For department of drawing: For topographical models for third class, tar-board for mounting models, frames and glass for securing models from injury, books of reference on drawing, painting, and color, benches, and repairs to same, models for the use of second class, colors, brushes, pencils, and paper for the use of instructors, tumblers, saucers, hammers, shears, paste-brushes, and nails, one hundred dollars.

For expenses of the board of visitors, including mileage, three thousand dollars: *Provided*, That the expenses allowed by section thirteen hundred and twenty-nine of the Revised Statutes shall be paid as follows: each member of the board of visitors shall receive not exceeding eight cents per mile for each mile traveled by the most direct route from his residence to West Point and return, and shall in addition receive five dollars per day for expenses during each day of his service at West Point.

For miscellaneous and contingent expenses: For gas-coal, oil, candles, matches, and wicking for lighting the academy, cadet-barracks, mess-hall, shops, hospital, offices, stable, and sidewalks, four thousand dollars; water-pipes, plumbing, and repairs, one thousand five hundred dollars; cleaning public buildings, (not quarters,) five hundred dollars; brooms, brushes, pails, tubs, soap, and cloths, two hundred dollars; chalk, crayons, sponge, slate, and rubbers, for recitation-rooms, one hundred dollars; compensation of chapel-organist, two hundred dollars; compensation of librarian, one hundred and twenty dollars; pay of engineer of heating and ventilating apparatus for the academic building, the cadet-barracks, chapel, and philosophical building, including the library, one thousand five hundred dollars; pay of assistant of same, seven hundred and twenty dollars; pay of five firemen, two thousand two hundred dollars; increase and expense of the library, books, magazines, periodicals, and completing printing and binding of catalogues one thousand dollars.

For pay of librarian's assistant, one thousand dollars.

For furniture for cadet-hospital, one hundred dollars.

For repairing and improving sea-coast battery, taking up, repairing foundation, and relaying platform for fifteen-inch gun, four hundred and eighty dollars.

For new stone front-pintle platform for fifteen-inch gun, one thousand dollars.

Buildings and grounds: For repairing roads and paths, five hundred dollars.

For resetting steam-boilers used for heating cadet-barracks, academy, chapel, and library, one thousand two hundred dollars.

Section. 2. That the Military Academy band shall consist of one teacher of music, who shall be leader of the band, for the fiscal year ending June thirtieth, eighteen hundred and seventy eight, and may be a civilian, and of twenty-four enlisted musicians of the band.

Sec. 3. That the teacher of music shall receive ninety dollars per month, one ration, and the allowance of fuel of a second lieutenant of the Army; and that of the enlisted musicians of the band six shall each be paid thirty-four dollars per month; six shall each be paid twenty dollars per month; and the remaining twelve shall each be paid seventeen dollars per month; and that the enlisted musicians of the band shall have the benefits as to pay arising from re-enlistments and length of service applicable to other enlisted men of the Army.

Approved, March 3, 1877.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 21. } ADJUTANT GENERAL'S OFFICE,
Washington, March 19, 1877.

The following Acts of Congress are published for the information and government of all concerned:—

I...AN ACT to repeal the statute forbidding appointments and promotions in the staff of the Army.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section eleven hundred and ninety-four of the Revised Statutes, now applying only to grades in the Pay Department of the Army above the rank of major, is hereby repealed.

Approved, March 3, 1877.

II...AN ACT making appropriations for fortifications and for other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1878, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of one hundred thousand dollars be, and the same is hereby appropriated out of any money in the Treasury not otherwise appropriated, for the protection preservation and repair of fortifications and other works of defense, for the fiscal year ending June thirtieth eighteen hundred and seventy-eight; the same to be expended under the direction of the Secretary of War; also, the following for armament of fortifications, namely:

For the armament of sea-coast fortifications, including heavy guns, and howitzers for flank defense, carriages, projectiles, fuses, powder, and implements, their trial and proof, and all necessary expenses incident thereto, one hundred thousand dollars; and for Gatling or other machine guns, twenty-five thousand dollars.

For torpedoes for harbor defenses, and preservation of the same, and for torpedo experiments in their application to harbor and land

defense, and for instruction of engineer battalion in their preparation and application, fifty thousand dollars: *Provided*, That the money herein appropriated for torpedoes shall only be used in the establishment and maintenance of torpedoes to be operated from shore-stations for the destruction of an enemy's vessel approaching the shore or entering the channel and fairways of harbors.

Approved, March 3, 1877.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 22. } ADJUTANT GENERAL'S OFFICE,
Washington, March 19, 1877.

The following Joint Resolutions of Congress are published for the information and government of all concerned:—

I...JOINT RESOLUTION authorizing the President to designate and set apart a site for the colossal statue of "Liberty enlightening the world" and to provide for the permanent maintenance and preservation thereof.

Whereas, the President has communicated to Congress the information that citizens of the French Republic propose to commemorate the one hundredth anniversary of our independence by erecting at their own cost a colossal bronze statue of "Liberty enlightening the world" upon a pedestal of suitable proportions to be built by private subscription upon one of the islands belonging to the United States in the harbor of New York, and

Whereas it is proper to provide for the care and preservation of this grand monument of art and of the abiding friendship of our ancient ally: Therefore,

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be and he is hereby authorized and directed to accept the colossal statue of "Liberty enlightening the world" when presented by citizens of the French Republic, and to designate and set a part for the erection thereof, a suitable site upon either Governors or Bedloes Island, in the harbor of New York; and upon the completion thereof shall cause the same to be inaugurated with such ceremonies as will serve to testify the gratitude of our people for this expressive and felicitous memorial of the sympathy of the citizens of our sister Republic; and he is hereby authorized to cause suitable regulations to be made for its future maintenance as a beacon, and for the permanent care and preservation thereof as a monument of art, and of the continued good will of the great nation, which aided us in our struggle for freedom.

Approved, March 3, 1877.

II...JOINT RESOLUTION to amend the joint resolution authorizing the Secretary of War to issue arms, approved July third, eighteen hundred and seventy-six.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution approved July third, eighteen hundred and seventy-six, authorizing the Secretary of War to issue arms to the Territories and the States bordering thereon, be, and the same is hereby, amended by inserting, after the words "each of said Territories," the words "and ammunition for the same, not to exceed fifty ball-cartridges for each arm."

Approved, March 3, 1877.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 23. } ADJUTANT GENERAL'S OFFICE,
Washington, March 20, 1877.

The following Acts of Congress are published for the information and government of all concerned:—

I...AN ACT to authorize the appointment of a sergeant in the Signal Corps as a second lieutenant in the Army

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby authorized to appoint, and by and with the consent of the Senate, to commission Theodore Mosher, junior sergeant in the Signal Service of the United States, to be a second lieutenant in the Army, to fill any existing vacancy in any regiment, notwithstanding the provisions of section twelve hundred and eighteen, Revised Regulations: *Provided*, That said Mosher shall be duly found and deemed by the President to be otherwise qualified and eligible for such appointment.

Approved, March 3, 1877.

II...AN ACT amending the pension-law so as to remove the disability of those who, having participated in the rebellion, have, since its termination, enlisted in the Army of the United States, and become disabled.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the law prohibiting the payment of any money on account of pensions to any person, or to the widow, children, or heirs of any deceased person, who, in any manner, engaged in or aided or abetted the late rebellion against the authority of the United States, shall not be construed to apply to such persons as afterward voluntarily enlisted in the Army of the United States, and who, while in such service, incurred disability from a wound or injury received or disease contracted in the line of duty.

Approved, March 3, 1877.

III...AN ACT for the relief of John S. Wood, late a first lieutenant in the Seventh Pennsylvania Cavalry.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause to be furnished to John S. Wood, late a first lieutenant in the Seventh Pennsylvania Cavalry, (volunteers,) an honorable discharge from the service, on account of wounds received in action, of the same date as the date of the discharge of his company. And the Paymaster-General is hereby authorized and directed to pay the said John S. Wood, out of any money appropriated for the pay of the Army, a sum equal to the emoluments of a first lieutenant of cavalry, from the date of his muster-in to the service as such until the muster-out of Company I of the Seventh Pennsylvania Cavalry, deducting therefrom such sum or sums as he may have received on account of such services for the same period.

SEC. 2. That nothing contained in the thirteenth section of the act entitled "An act supplementary to the several acts relating to pensions," approved June sixth, eighteen hundred and sixty-six, or any other act, limiting the time for filing a claim for pension, shall operate to prevent the said John S. Wood from making claim for pension from the date of the muster-out of service of Company I of the Seventh Pennsylvania Cavalry.

Approved, March 3, 1877.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 24. } ADJUTANT GENERAL'S OFFICE,
Washington, March 20, 1877.

The following Acts of Congress are published for the information and government of all concerned:—

I...AN ACT for the relief of certain claimants under the donation land law of Oregon, approved September twenty-seventh, eighteen hundred and fifty.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the claims of such persons who were duly qualified thereto, and made bona-fide settlements upon lands in the State of Oregon and Washington Territory, under the provisions of the act of Congress, approved September twenty-seventh, eighteen hundred and fifty, entitled "An act to create the office of surveyor-general of the public lands in Oregon, and to provide for the survey, and to make donations to settlers of the said public lands," and the legislation supplemental thereto, which have been included, in whole or in part, within the limits of any reservation made by the United States for military purposes subsequent to the date of such settlement and prior to the completion of the period of residence and cultivation required by said act, which reservation has been, or may hereafter be, declared abandoned by the Secretary of War as no longer necessary to the United States for military or other purposes, shall be adjudicated and patented the same as other donation claims arising under said act and supplemental legislation, as though such reservation had never been made: *Provided however*, That no claim of any settler coming within the purview of this act shall be validated or confirmed the value of whose improvements, at the time such reservation was made by the United States, has been ascertained and paid for by the Secretary of War, as required by the aforesaid act of September twenty-seventh, eighteen hundred and fifty, and the legislation supplemental thereto.

Approved, February 28, 1877.

II...AN ACT to authorize the Secretary of War to open and re-adjust the settlement made by the United States Government with the Western and Atlantic Railroad of Georgia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized to re-open the settlement made by the

United States Government with the Western and Atlantic Railroad of the State of Georgia, and to adjust the same upon the basis and the plan of settlement which was adopted in the settlement made by the Secretary of War with the Nashville and Chattanooga Railroad Company, the East Tennessee and Georgia Railroad Company, and the Nashville and Decatur Railroad Company, under the authority of the act of Congress approved March third, eighteen hundred and seventy one.

SEC 2. That when said claims have been adjusted in pursuance of the provisions of this act, the Secretary of War be, and he is hereby, authorized to issue his warrant on the Treasury of the United to the governor of Georgia or his order for the amount of money it is found ought to be refunded to said railroad on account of said settlement.

Approved, March 3, 1877.

III...AN ACT to provide for the disposition of Fort Dalles military reservation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and hereby is, authorized to transfer to the custody and control of the Secretary of the Interior, for disposition for cash, according to existing laws relating to the public lands, after appraisement, to the highest bidder, and at not less than the appraised value, nor at less than one dollar and twenty-five cents per acre, the United States military reservation known as the Fort Dalles military reservation at Dalles in the State of Oregon, as the same was established by order of Brigadier-General W. S. Harney, in the year eighteen hundred and fifty-nine, excepting any portion of said reservation as may have been granted to any settler under the act of Congress making donations of the public lands in Oregon to settlers, approved September twenty-seventh, eighteen hundred and fifty, or which may have been granted under any other act of Congress previous to the time when such military reservation was established.

SEC. 2. That the Secretary of the Interior, if in his opinion the public interests require it, may cause the said lands in said reservation, or any part thereof, to be subdivided into tracts less than forty acres each, and into town-lots, or either; and, in such cases, each

subdivision or lot shall be appraised and offered separately for sale to the highest bidder, as before provided, after which any tract or lot so offered, and not sold for want of bidders, shall be subject to sale at private entry at the appraised value.

SEC. 3. That the Secretary of the Interior shall cause the improvements, buildings, materials, and other property, which may be situate upon said reservation, or upon any such tract or into which the same may be subdivided, to be appraised, and may cause the same to be sold, together with the tract or lot upon which the same may be situate, at not less than the appraised value of the land and improvements, or may, in his discretion, cause the said improvements to be sold separately at public sale at not less than the appraised value, to be removed by the purchaser within such time as the Secretary of the Interior may direct; and if the improvements are offered and not sold for want of bidders, then the Secretary of the Interior is authorized to sell the same at private sale for not less than the appraised value.

SEC. 4. That the land lying between the northern boundary of said military reservation and the northern boundary of the military reservation, as established by order of Major G. I. Rains in the year eighteen hundred and fifty-five, shall be disposed of under and according to the provisions of title thirty-two, chapter eight, of the Revised Statutes of the United States, except any portion of the same to which there may be a valid pre-emption claim; and all controversies arising under this act, in regard to the right or title to any part of said lands, shall be decided by the register and the receiver of the proper land-office, subject to an appeal to the Commissioner of the General Land Office by any person or party interested therein.

Approved, March 3, 1877.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 25. } ADJUTANT GENERAL'S OFFICE,
Washington, March 27, 1877.

By direction of the Secretary of War the following decision of the Supreme Court of the United States is published for the information of the Army:—

SUPREME COURT OF THE UNITED STATES.

No. 401.—OCTOBER TERM, 1876.

THE UNITED STATES, *Appellants*, vs. ARTHUR MARTIN. } Appeal from the Court of Claims.

The act of Congress declaring "that eight hours shall constitute a day's work for all laborers or workmen * * employed by or on behalf of the government of the United States," is in the nature of a direction by the United States to its agents.

It is not a contract with laborers to that effect, and does not prevent the officers of the government from making agreements with laborers by which the day's labor may be more or less than eight hours.

The act does not prescribe the amount of compensation to be paid for the labor of eight hours or of any other time.

Where a laborer has been in the habit of working for the government twelve hours a day at a compensation of $2.50 per day, and in answer to his request is informed that if he wishes to remain in the service he must continue to work twelve hours per day, and receives his pay accordingly, he cannot afterwards recover for the additional time over eight hours as a day's labor.

When an application is made to the defendant for the excess of time over eight hours per day, and an allowance is made and the receiver receipts in full for the account, this is a bar to any further claim.

Mr. Justice HUNT delivered the opinion of the Court.

On the 25th of June, 1868, Congress passed an act (15 Stat., 77), declaring "that eight hours shall constitute a day's work for all laborers, workmen, and mechanics now employed, or who may hereafter be employed, by or on behalf of the government of the United States."—(Revised Stats., § 3,738.)

This was a direction by Congress to the officers and agents of the United States, establishing the principle to be observed in the labor of those engaged in its service. It prescribed the length of time which should amount to a day's work when no special agreement was made upon the subject. There are several things which the act does not regulate which it may be worth while to notice.

First. It does not establish the price to be paid for a day's work. Skilled labor necessarily commands a higher price than mere manual labor, and

whether wages are high or low depends chiefly upon the enquiry whether those having labor to bestow are more numerous than those who desire the service of the laborer. The English statute books are full of assizes of bread and ale, commencing as early as the reign of Henry 2d, and regulations of labor, and many such are to be found in the statutes of the several states. It is stated by Adam Smith, as the law in his day, that in Sheffield no master cutter or weaver or hatter could have more than two apprentices at a time, and so lately as the 8th Geo. 3d, and which remained unrepealed until 1825, an act was passed prohibiting under severe penalties all master tailors in London, or within five miles of it, from giving, or their workmen from accepting, more than two shillings seven pence halfpenny a day, except in the case of general mourning.—(Smith's Wealth of Nations, 125, 6 Oxford ed. of 1869.) A different theory is now almost universally adopted. Principals, so far as the law can give the power, are entitled to employ as many workmen and of whatever degree of skill and at whatever price they think fit, and except in some special cases, as of children or orphans, the hours of labor and the price to be paid are left to the determination of the parties interested. The statute of the United States does not interfere with this principle. It does not specify any sum which shall be paid for the labor of eight hours, nor that the price shall be more when the hours are greater, or less when the hours are fewer. It is silent as to everything except the direction to its officers that eight hours shall constitute a day's work for a laborer.

Second. The statute does not provide that the employer and the laborer may not agree with each other as to what time shall constitute a day's work. There are some branches of labor, connected with furnaces, foundries, steam or gas works, where the labor and the exposure of eight hours a day would soon exhaust the strength of a laborer, and render him permanently an invalid. The government officer is not prohibited from knowing these facts, nor from agreeing when it is proper that a less number of hours than eight shall be accepted as a day's work. Nor does the statute intend that where out-of-door labor in the long days of summer may be offered for twelve hours at an uniform price, the officer may not so contract with a consenting laborer.

We regard the statute chiefly as in the nature of a direction from a principal to his agent, that eight hours is deemed to be a proper length of time for a day's labor, and that his contracts shall be based upon that theory. It is a matter between the principal and his agent in which a third party has no interest. The proclamation of the President and the act of 1872 are in harmony with this view of the statute.

We are of the opinion, therefore, that contracts fixing or giving a different length of time as the day's work are legal and binding upon the parties making them.

In the case before us the claimant continued his work, after understanding that eight hours would not be accepted as a day's labor, but that he must work twelve hours, as he had done before. He received his pay of $2.50 a day for the work of twelve hours a day, as a calendar day's work during the period in question, without protest or objection. At that time ordinary laborers under the same government received but $1.75 per day at the same place, and those engaged in the same department with the claimant in a private establishment, at the same place, received but $2 for a day's work of twelve hours, and the

finding adds, "they had more work to do than the claimant had while similarly employed." The claimant's contract was a voluntary and a reasonable one, by which he must now be bound.

In 1873 the claimant applied for the same arrears of pay as are here in question, and received from the auditor an award of $205.63. That amount was paid to the claimant, and he receipted in writing in full for the account. This has often been held in this court to be a bar to any further claim.—(U. S. vs. Justice, 14 Wal., 535; U. S. vs. Child, 12 Ib., 232.)

These principles require a reversal of the judgment of the Court of Claims. The case is remanded to the Court of Claims with directions that the petition of the claimant be dismissed.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL.:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 26. } ADJUTANT GENERAL'S OFFICE,
Washington, March 28, 1877.

The following Joint Resolutions and Acts of Congress are published for the information and government of all concerned:—

I...JOINT RESOLUTION authorizing the issue of clothing to Company "A" Second Regiment, United States Cavalry.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be and he is hereby authorized to issue to fifty enlisted men of Company "A" Second Regiment United States Cavalry, clothing in lieu of, and equal in amount to that lost by them at the fire which occurred in the camp of Company A. Second Cavalry, on the sixteenth day of July, eighteen hundred and seventy-four, as shown and recommended in the report of the board of survey, convened under special order number one hundred and thirty-eight, headquarters Fort Laramie, Wyoming Territory, of date of July seventeenth, eighteen hundred and seventy-four.

Approved, March 3, 1877.

II...JOINT RESOLUTION authorizing the issue of clothing to Private Francis Hegner, Company F, Seventh Cavalry, and Private John C. Collins, Company G. Seventh Cavalry.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to issue to Private Francis Hegner, Company F, Seventh United States Cavalry, and Private John C. Collins, of Company G. Seventh United States Cavalry, clothing in lieu of and equal in amount to that lost by them respectively, at the burning of the cavalry stable at Fort Abraham Lincoln, Dakota Territory, November tenth, eighteen hundred and seventy-four, as shown and recommended in the report of the board of survey, convened by Special Orders number two hundred and thirteen, Headquarters Fort Abraham Lincoln, Dakota Territory, of the date November eleventh, eighteen hundred and seventy-four.

Approved, March 3, 1877.

III...AN ACT for the relief of Assistant Surgeon Thomas F. Azpell, United States Army.

Be enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the payments made by the Department of the Interior to Assistant Surgeon Thomas F. Azpell, United States Army, for medical services rendered the Hoopa Valley Indians at the request of said Department in the absence of other medical aid, are hereby sanctioned; and the said Assistant Surgeon Azpell is authorized to retain the compensation already paid, anything in the statutes of the United States to the contrary notwithstanding.

Approved, January 16, 1877.

IV...AN ACT placing the name of C. G. Freudenberg upon the retired list of the United States Army.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper authorities be, and they are hereby, directed to place the name of C. G. Freudenberg upon the retired-list of Army officers, under the rank and grade of lieutenant-colonel, instead of captain, the rank now held by him on said retired-list; and that said promotion take effect from and after the passage of this act.

Approved, March 3, 1877.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 27. } ADJUTANT GENERAL'S OFFICE,
Washington, March 28, 1877.

The following Joint Resolution of Congress is published for the information and government of all concerned:—

JOINT RESOLUTION to appoint a commission to examine into the matter of contracts made by and between the United States and the Moline Water Power Company as to the water power at Moline, Illinois, and to report to Congress as to same.

Whereas, the Moline Water Power Company, of Moline in the State of Illinois, complains that certain contracts made with said Company by the United States, through the Secretary of War, acting under the authority of Congress have not been carried out in good faith in developing and maintaining the water power at said town of Moline as required by said contracts, and that by reason of such failure said Company has sustained and is sustaining large damages, therefore,

Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and required to appoint a commission to consist of three competent Civil Engineers, one of whom shall be the Chief of Engineers of the United States Army, whose duty it shall be to examine into the subject matter of said contracts, made by and between the United States, as aforesaid, and the said Water Power Company, as to said water power, and the development and maintenance of the same, and to report to the Congress of the [Congress of the] United States at its next session, what if anything is necessary to be done by the United States to carry out in good faith said contracts, and to relieve said Water Power Company from its alleged grievances. Said report to be submitted through the Secretary of War, to the Congress of the United States at the commencement of its next session; and to be directed to the Speaker of the House of Representatives.

Approved, March 8, 1877.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, March 29, 1877.

[Circular.]

The following letter from the Secretary of the Treasury to the Secretary of War is published for the information of those concerned:—

TREASURY DEPARTMENT,
March 23, 1877.

Hon. GEO. W. MCCRARY,
Secretary of War.

SIR: I have the honor to inform you that the amount of United States bonds held in trust by the Treasurer of the United States as security for public deposits in the Kentucky National Bank of Louisville, Kentucky, now stands at $300,000—an increase of $100,000.

Very respectfully,
(Signed) JOHN SHERMAN,
Secretary.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

L. H. Pelouze

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 28. } ADJUTANT GENERAL'S OFFICE,
Washington, March 29, 1877.

The following extract from "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending June thirtieth eighteen hundred and seventy-eight and for other purposes," approved March 3, 1877, is published for the information and guidance of the Army:—

"*Provided, however*, That hereafter the records of regimental, garrison, and field officers and courts-martial [*sic*] shall after having been acted upon, be retained and filed in the Judge Advocate's office at the Headquarters of the Department Commander in whose department the courts were held for two years, at the end of which time they may be destroyed."

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 29. } ADJUTANT GENERAL'S OFFICE,
Washington, March 29, 1877.

The following extracts of an Act of Congress are published for the information and government of all concerned:—

AN ACT to perfect the revision of the statutes of the United States, and of the statutes relating to the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of correcting error[or]s and supplying omissions in the act entitled "An act to revise and consolidate the statutes of the United States in force on the first day of December, anno Domini one thousand eight hundred and seventy three," so as to make the same truly express such laws, the following amendments are hereby made therein:

* * * * *

Section two hundred and fifteen is amended by adding at the end of the section the following: There shall be in the said Department an inferior officer, to be appointed by the said principal officer to be employed therein as he shall deem proper, and to be called the chief clerk in the Department of War, and who, whenever the said principal officer shall be removed from office by the President of the United States, or in any other case of vacancy, shall during such vacancy, have the charge and custody of all records, books, and papers, appertaining to the said Department."

Section two hundred and twenty five is amended by adding at the end of the section the following: In settling the accounts of the commanding officer of a company for clothing and other military supplies, the affidavit of any such officer may be received to show the loss of vouchers or company books, or any matter or circumstance tending to prove that any apparent deficiency was occasioned by unavoidable accident or lost in actual service, without any fault on his part, or that the whole or any part of such clothing and supplies had been properly and legally used and appropriated; and such

affidavit may be considered as evidence to establish the facts set forth, with or without other evidence, as may seem to the Secretary of War just and proper under the circumstances of the case."

* * * * *

Section one thousand and ninety four is amended by striking out the word "post"; in the twenty fifth line, before the words "ordnance sergeant".

Section one thousand and ninety-seven is amended by inserting, in the second line, after the word "who", the word "shall".

Section eleven hundred and two is amended by striking out, after the word "majors", in the second line, the words "one surgeon, one assistant surgeon"; and in the seventh line after the word "the", insert the words "seventh, eighth".

Section eleven hundred and ten is amended by striking out the word "post" before the words "ordnance sergeants" in the first line.

Section eleven hundred and eighteen is amended by striking out the words "any criminal offence" in the third line, and inserting the words "a felony".

Section eleven hundred and twenty six is amended by inserting a comma after the word "post", in the first line.

Section eleven hundred and thirty-one is amended by inserting, after the word "cavalry" in the second line, the words "provided no promotion shall be made until the number of inspectors-general is reduced to four".

Section eleven hundred and thirty two is amended by adding at the end of the section the following:

"All appointments in the Quartermaster's Department shall be made from the Army. During the absence of the Quartermaster-General, or the chief of any military bureau of the War Deparment, the President is authorized to empower some officer of the department or corps whose chief is absent to take charge thereof, and to perform the duties of Quartermaster-General, or chief of the department or corps, as the case may be, during such absence."

Section eleven hundred and thirty-six is amended by adding at the end of the section the following:

"It shall be the duty of all officers of the United States having any of the title-papers (property purchased, or about to be purchased, for erection of public buildings) in their possession, to

furnish them forthwith to the Attorney-General. No public money shall be expended until the written opinion of the Attorney-General shall be had."

Section eleven hundred and thirty-seven is amended by inserting, in the third line, after the word "service" the following: "who shall be entitled to receive each forty dollars per month and three rations per day, and forage for one horse".

Section eleven hundred and thirty-nine is amended by adding at the end of the section the following: "And he shall account to the Secretary of War at least once in three months for all property and money that may pass through his hands, or the hands of his subordinate officers."

Section eleven hundred and sixty two is amended by striking out all after the word "many" in the first line and inserting the following: "sergeants of ordnance, corporals of ordnance, and first and second class privates of ordnance, as the Secretary of War may direct."

Section eleven hundred and sixty three is amended by striking out, in the third line, the words "privates of first class", and inserting the words "ordnance enlisted men", in lieu thereof.

Section eleven hundred and sixty seven is amended by inserting at the end thereof the following words: "Every officer of the Ordnance Department, every ordnance-store keeper, every post ordnance sergeant, each keeper of magazines, arsenals, and armories, every assistant and deputy of such, and all other officers, agents, or persons who shall have received or may be entrusted with any stores or supplies, shall quarterly, or oftener if so directed, and in such manner and on such forms as may be directed or prescribed by the Chief of Ordnance, make true and correct returns to the Chief of Ordnance of all ordnance-arms, ordnance-stores, and all other supplies and property of every kind, received by or intrusted to them and each of them, or which may in any manner come into their and each of their possession or charge. The chief of ordnance, subject to the approval of the Secretary of War, is hereby authorized and directed to draw up and enforce in his department a system of rules and regulations for the government of the Ordnance Department, and of all persons in said department, and for the safe-keeping and preservation of all ordnance property of every kind, and to direct and prescribe the time, number, and forms of all returns and reports, and to enforce compliance therewith."

Section eleven hundred and seventy-four is amended by inserting, after the word "line" in the second line, the words "under such rules and regulations as shall be prescribed by the Secretary of War".

Section eleven hundred and ninety-one is amended by adding at the end of the section the following: "But the Quartermaster General shall not be liable for any money or property that may come into the hands of the subordinate officers of his department."

Section twelve hundred and seven is amended by inserting after the word "engineers" in the first line, the words "or Ordnance Corps".

Section twelve hundred and twenty is amended by adding at the end of the section the following:

"It shall be lawful for the commanding officer of each regiment, whenever it may be necessary, to cause the coats, vests, and overalls or breeches which may from time to time be issued to and for his regiment to be altered and new-made, so as to better to fit them to the persons respectively for whose use they shall be delivered; and for defraying the expense of such alterations, to cause to be deducted and applied out of the pay of such persons a sum or sums not exceeding twenty five cents for each coat, eight cents for each vest and for each pair of overalls or breeches."

Section twelve hundred and twenty-one is amended by adding at the end of the section the following:

"Said returns and vouchers, after due examination by the Quartermaster General shall be transmitted for settlement to the proper accounting officer of the Treasury Department."

Section twelve hundred and twenty-four is amended by striking out the same and inserting in lieu thereof the following:

"No officer of the Army shall be employed on civil works or internal improvements, or be allowed to engage in the service of any incorporated company, or be employed as acting paymaster or disbursing-agent of the Indian Department, if such extra employment requires that he shall be separated from his company, regiment, or corps, or if it shall otherwise interfere with the performance of the military duties proper."

Section twelve hundred and fifty nine is amended by adding at the end of the section the following:

"*Provided*, That they receive from the Government only the pay and emoluments allowed by law to retired officers."

Section twelve hundred and sixty is amended by adding at the end of the section the following:

"But while so serving, such officer shall be allowed no additional compensation."

Section twelve hundred and seventy is amended by adding at the end of the section the following:

Provided, however, That when forage in kind cannot be furnished by the proper departments, then and in all such cases, officers entitled to forage may commute the same according to existing regulations: *Provided further*, That officers of the Army and of Volunteers assigned to duty which requires them to be mounted shall, during the time they are employed on such duty receive the pay, emoluments, and allowances of cavalry officers of the same grade respectively."

Section twelve hundred and seventy nine is amended by adding at the end thereof the following words: "Artificer of artillery and infantry, fifteen dollars per month; wagoner of cavalry, artillery, and infantry, fourteen dollars per month. The principal assistant in the Ordnance Bureau shall receive a compensation, including pay and emoluments, not exceeding that of a major of ordnance."

Section twelve hundred and eighty is amended by striking out in the third line the word "conditions" and inserting the word "additions"

Section twelve hundred and eighty-nine is amended by striking out in the first line, after the word "is" the word "honorably" and insert after the word "service" the words "except by way of punishment for an offense".

Section twelve hundred and ninety is amended by striking out in the first line, after the word "is" the word "honorably" and insert after the word "service" the words "except by way of punishment for an offense".

Section thirteen hundred and thirty seven is amended by striking out, in the second line after the word "tactics" the words "and the instructor of practical military engineering"

Section thirteen hundred and forty two is amended by striking out, in the fourth line of article of war twenty six, after the word "such" the word "corporal" and in the third line of article of war thirty eight, after the word "such" the word "corporal"

* * * * *

Section thirty-seven hundred and forty-three is amended by inserting, after the word "States" in the fourth line, the words "the Second Comptroller of the Treasury of the United States, or the Commissioner of Customs, respectively, according to the nature thereof".

* * * * *

Approved, February 27, 1877.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 30. } ADJUTANT GENERAL'S OFFICE,
Washington, March 29, 1877.

The following order is received from the Secretary of War:—

The allowance of kindling wood provided for by General Orders No. 18, Adjutant General's Office, February 9, 1870, is not subject to increase according to the scale of equivalents given in General Orders No. 13, Adjutant General's Office, March 9, 1869, but will be issued at the same monthly rate as to quantity as the standard, oak wood.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 31. } ADJUTANT GENERAL'S OFFICE,
Washington, March 31, 1877.

I...The Ordnance Department having found from recent experiments that the application of oil or grease to the shell of metallic ammunition has a tendency to cause the shell to rupture when fired, the Chief of Ordnance recommends, and the Secretary of War directs, that under no circumstances shall such lubricants be applied to the metallic case of any cartridges for the service arms. When practicable every cartridge before being placed in the arm shall be examined, to see that it is perfectly clean; and no cartridge, and *particularly* no discharged shell, shall be kept in the arm longer than absolutely necessary.

II...The following order is approved by the Secretary of War:—

Seal-skin caps and gauntlets will not be returned as issued to troops, but will be borne on the return of the officer accountable, while fit for service. They will be charged to the soldier in whose use they are when lost or destroyed by his fault, and will be dropped from the return on "statement of charges" in the same manner that camp and garrison equipage lost by soldiers is charged and dropped. When worn out in service they will be presented for inspection.

Company officers who have issued such caps and gauntlets to their men will take them up again on their returns, and enter the amounts to the credit of the soldiers on their clothing accounts.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL.:

Assistant Adjutant General.

HEADQUARTERS OF THE ARMY,
ADJUTANT GENERAL'S OFFICE,
Washington, April 2, 1877.

[Circular.]

Casualties among the Commissioned Officers of the U. S. Army reported to the Adjutant General's Office during the week ending Saturday, March 31, 1877.

1st Lieutenant *John G. Kyle*, 1st Cavalry—Died March 30, 1877, at Xenia, Ohio.

2d Lieutenant *Edgar S. Beacom*, 24th Infantry—Resigned March 31, 1877.

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 32. } ADJUTANT GENERAL'S OFFICE,
Washington, April 2, 1877.

The following promotions and appointments in the Army of the United States, made by the President, by and with the advice and consent of the Senate, and by the President alone, since the publication of General Orders No. 103, of October 18, 1876, and up to April 1, 1877, are announced:—

[Those made by the President alone are designated thus *.]

I...PROMOTIONS.

MEDICAL DEPARTMENT.

Lieutenant Colonel Charles McCormick, Assistant Medical Purveyor, to be Surgeon with the rank of Colonel, December 31, 1876, *vice* Wright, retired from active service.

Major George E. Cooper, Surgeon, to be Assistant Medical Purveyor, with the rank of Lieutenant Colonel, December 2, 1876, *vice* Laub, deceased.

Major Ebenezer Swift, Surgeon, to be Assistant Medical Purveyor, with the rank of Lieutenant Colonel, December 31, 1876, *vice* McCormick, promoted.

Captain John S. Billings, Assistant Surgeon, to be Surgeon, with the rank of Major, December 2, 1876, *vice* Cooper, promoted.

Captain William M. Notson, Assistant Surgeon. to be Surgeon, with the rank of Major, December 31, 1876, *vice* Swift, promoted.

* Captain Joseph R. Gibson, Assistant Surgeon, to be Surgeon, with the rank of Major, March 19, 1877, *vice* Hasson, deceased.

PAY DEPARTMENT.

Major Franklin E. Hunt, Paymaster, to be Deputy Paymaster General, with the rank of Lieutenant Colonel, March 3, 1877, *vice* Leonard, retired from active service.

Major Henry Prince, Paymaster, to be Deputy Paymaster General, with the rank of Lieutenant Colonel, March 3, 1877, *vice* Fry, deceased.

CORPS OF ENGINEERS.

Second Lieutenant Henry S. Taber, to be First Lieutenant, January 29, 1877, *vice* Weeden, deceased.

FIRST REGIMENT OF CAVALRY.

Second Lieutenant John G. Kyle, to be First Lieutenant, September 3, 1876, *vice* Upham, appointed Regimental Quartermaster. (Company "L.") [Since deceased.]

*Second Lieutenant Edwin H. Shelton, to be First Lieutenant, March 30, 1877, *vice* Kyle, deceased. (Company "L.")

FOURTH REGIMENT OF CAVALRY.

Second Lieutenant Abram E. Wood, to be First Lieutenant, November 25, 1876, *vice* McKinney, killed in action with Indians. (Company "G.")

FIFTH REGIMENT OF CAVALRY.

Second Lieutenant Frank Michler, to be First Lieutenant, November 12, 1876, *vice* Bache, deceased. (Company "F.")

SIXTH REGIMENT OF CAVALRY.

First Lieutenant Edmund C. Hentig, to be Captain, November 15, 1876, *vice* Harper, dismissed. (Company "D.")

Second Lieutenant Austin Henely, to be First Lieutenant, November 15, 1876, *vice* Hentig, promoted. (Company "A.")

SEVENTH REGIMENT OF CAVALRY.

First Lieutenant Edward S. Godfrey, to be Captain, December 9, 1876, *vice* Weir, deceased. (Company "D.")

Second Lieutenant John W. Wilkinson, to be First Lieutenant, December 9, 1876, *vice* Godfrey, promoted. (Company "L.")

FIRST REGIMENT OF ARTILLERY.

Captain John Mendenhall, of the Fourth Artillery, to be Major, January 10, 1877, *vice* Brannan, promoted to the Fourth Artillery.

First Lieutenant Thomas Ward, to be Captain, November 1, 1876, *vice* Closson, promoted to the Fifth Artillery. (Battery "D.")

Second Lieutenant Henry L. Harris, to be First Lieutenant, November 1, 1876, *vice* Ward, promoted. (Battery "I.")

FOURTH REGIMENT OF ARTILLERY.

Lieutenant Colonel Joseph Roberts, to be Colonel, January 10, 1877, *vice* Brooks, retired from active service.

Major John M. Brannan, of the First Artillery, to be Lieutenant Colonel, January 10, 1877, *vice* Roberts, promoted. [Since transferred to First Artillery.]

First Lieutenant Arthur Morris, to be Captain, January 10, 1877, *vice* Mendenhall, promoted to the First Artillery. (Battery "G.")

Second Lieutenant Joshua L. Knapp, to be First Lieutenant, January 10, 1877, *vice* Morris, promoted. (Battery "G.")

FIFTH REGIMENT OF ARTILLERY.

Captain Henry W. Closson, of the First Artillery, to be Major, November 1, 1876, *vice* Seymour, retired from active service.

First Lieutenant William B. Beck, Regimental Quartermaster, to be Captain, October 30, 1876, *vice* Piper, deceased. (Battery "A.")

Second Lieutenant Alexander L. Morton, to be First Lieutenant, November 22, 1876, *vice* Thorp, appointed Regimental Quartermaster. (Battery "H.")

FOURTH REGIMENT OF INFANTRY.

Captain Henry G. Thomas, of the Twentieth Infantry, to be Major, October 22, 1876, *vice* Chambers, promoted to the Twenty-first Infantry.

SIXTH REGIMENT OF INFANTRY.

First Lieutenant D. Mortimer Lee, to be Captain, October 31, 1876, *vice* Ames, resigned. (Company "I.")

Second Lieutenant David L. Craft, to be First Lieutenant, October 31, 1876, *vice* Lee, promoted. (Company "K.")

TENTH REGIMENT OF INFANTRY.

Second Lieutenant Daniel F. Stiles, to be First Lieutenant, November 2, 1876, *vice* Hanson, deceased. (Company "K.")

ELEVENTH REGIMENT OF INFANTRY.

Second Lieutenant Benjamin D. Boswell, to be First Lieutenant, February 8, 1877, *vice* Kyle, dropped for desertion. (Company "I.")

TWELFTH REGIMENT OF INFANTRY.

Second Lieutenant George S. Wilson, to be First Lieutenant, December 28, 1876, *vice* Camp, deceased. (Company "H.")

FIFTEENTH REGIMENT OF INFANTRY.

Second Lieutenant William O. Cory, to be First Lieutenant, February 22, 1877, *vice* Buffum, resigned. (Company "K.")

TWENTIETH REGIMENT OF INFANTRY.

First Lieutenant Rodney M. Taylor, to be Captain, October 22, 1876, *vice* Thomas, promoted to the Fourth Infantry. (Company "C.")

Second Lieutenant Herbert Cushman, to be First Lieutenant, October 22, 1876, *vice* Taylor, promoted. (Company "A.")

TWENTY-FIRST REGIMENT OF INFANTRY.

Major Alexander Chambers, of the Fourth Infantry, to be Lieutenant Colonel, October 22, 1876, *vice* Mack, deceased.

TWENTY-SECOND REGIMENT OF INFANTRY.

* Second Lieutenant Fielding L. Davies, to be First Lieutenant, March 10, 1877, *vice* Reedy, resigned. (Company "B.")

TWENTY-THIRD REGIMENT OF INFANTRY.

* Second Lieutenant Julius H. Pardee, to be First Lieutenant, March 16, 1877, *vice* O'Connor, dismissed. (Company "D.")

TWENTY-FOURTH REGIMENT OF INFANTRY.

First Lieutenant John B. Nixon, Regimental Quartermaster, to be Captain, January 5, 1877, *vice* Sheridan, resigned. (Company "B.")

II...APPOINTMENTS.

MEDICAL DEPARTMENT.

Samuel Q. Robinson, of Massachusetts, to be Assistant Surgeon, with the rank of First Lieutenant, January 9, 1877, *vice* Horton, promoted to Surgeon.

William B. Davis, of Virginia, to be Assistant Surgeon, with the rank of First Lieutenant, January 9, 1877, *vice* Happersett, promoted to Surgeon.

PAY DEPARTMENT.

Alexander Sharp, of Missouri, to be Paymaster, with the rank of Major, January 26, 1877, *vice* Hanna, retired from active service.

John B. Keefer, of Pennsylvania, to be Paymaster, with the rank of Major, February 13, 1877, *vice* Halsey, retired from active service.

Culver C. Sniffen, of New York, to be Paymaster, with the rank of Major, March 3, 1877, *vice* Hunt, promoted Deputy Paymaster General.

Joseph W. Wham, of Illinois, (late Second Lieutenant, Thirty-fifth Infantry,) to be Paymaster, with the rank of Major, March 3, 1877, *vice* Prince, promoted Deputy Paymaster General.

POST CHAPLAINS.

George Robinson, of New York, to be Post Chaplain, March 1, 1877, *vice* McLeod, deceased.

John Walker Jackson, of Pennsylvania, to be Post Chaplain, March 3, 1877, *vice* Reese, retired from active service.

SEVENTH REGIMENT OF CAVALRY.

1. Edwin P. Brewer, of Ohio, to be Second Lieutenant, August 31, 1876, *vice* Nave, promoted. (Company "D.") [Instead of to be Second Lieutenant, Second Cavalry, as announced in General Orders No. 103, of October 13, 1876.]

SECOND REGIMENT OF INFANTRY.

7. William C. Muhlenberg, of Pennsylvania, to be Second Lieutenant, December 14, 1876, *vice* Sarson, promoted. (Company "C.")

13. William Ralph Abercrombie, from at large, to be Second Lieutenant, March 1, 1877, *vice* McIntyre, killed. (Company "E.")

FIFTH REGIMENT OF INFANTRY.

9. Charles B. Thompson, of Pennsylvania, to be Second Lieutenant, January 9, 1877, *vice* Hinkle, resigned. (Company "F.")

SIXTH REGIMENT OF INFANTRY.

8. Charles Byrne, of the District of Columbia, to be Second Lieutenant, January 9, 1877, *vice* Craft, promoted. (Company "F.")

11. Edwin R. Ames, of Indiana, (late Captain, Sixth Infantry,) to be Second Lieutenant, March 1, 1877, *vice* Rowan, transferred to the Second Artillery. (Company "A.")

TENTH REGIMENT OF INFANTRY.

6. Robert C. Van Vliet, of New Jersey, to be Second Lieutenant, December 14, 1876, *vice* Stiles, promoted. (Company "H.")

ELEVENTH REGIMENT OF INFANTRY.

10. James E. Macklin, of Indiana, (late Second Lieutenant, Twenty-second Infantry,) to be Second Lieutenant, January 12, 1877, *vice* Shipman, resigned. (Company "A.")

TWELFTH REGIMENT OF INFANTRY.

12. Palmer G. Wood, of California, (late First Lieutenant, Twelfth Infantry,) to be Second Lieutenant, March 1, 1877, *vice* Wilson, promoted. (Company "K.")

FIFTEENTH REGIMENT OF INFANTRY.

14. Alexis R. Paxton, from at large, to be Second Lieutenant, March 3, 1877, *vice* Cory, promoted. (Company "I.")

SEVENTEENTH REGIMENT OF INFANTRY.

3. Sergeant William I. Cook, Company "D," Fifteenth Infantry, to be Second Lieutenant, November 15, 1876, *vice* Brush, promoted. (Company "A.")

TWENTIETH REGIMENT OF INFANTRY.

4. Frederick Dent Sharp, of District of Columbia, to be Second Lieutenant, December 14, 1876, *vice* Cushman, promoted. (Company "E.")

TWENTY-SECOND REGIMENT OF INFANTRY.

2. Denis Ryan, of New York, (late First Sergeant Company "I," Sixth Cavalry,) to be Second Lieutenant, November 6, 1876, *vice* Dykman, resigned. (Company "G.") [Since resigned.]

5. John J. Crittenden, of Kentucky, to be Second Lieutenant, December 14, 1876, *vice* Macklin, dismissed. (Company "I.")

III...TRANSFERS.

Lieutenant Colonel Emory Upton, from the First Artillery to the Fourth Artillery, March 16, 1877.

Lieutenant Colonel John M. Brannan, from the Fourth Artillery to the First Artillery, March 16, 1877.

First Lieutenant Sebree Smith, from the Sixth Cavalry to the Second Artillery, February 6, 1877, (Battery "I,") to take place on Army Register next after First Lieutenant John H. Gifford.

First Lieutenant William Stanton, from the Second Artillery to the Sixth Cavalry, February 6, 1877, (Company "E,") to take place on Army Register next after First Lieutenant George S. Anderson.

Second Lieutenant Charles H. Lester, from the Twenty-fourth Infantry to the Eighth Cavalry, October 31, 1876, (Company "C,") to take place on Army Register next after Second Lieutenant Joseph W. Pinder.

Second Lieutenant Harrison G. Otis, from the Fourth Cavalry to the Fourth Artillery, February 27, 1877, (Battery "E,") to take place on Army Register next after Second Lieutenant William M. Medcalfe.

Second Lieutenant James S. Jouett, from the Tenth Infantry to the Tenth Cavalry, February 6, 1877, (Company "I,") to take place on Army Register next after Second Lieutenant Charles G. Ayres.

Second Lieutenant Hamilton Rowan, from the Sixth Infantry to the Second Artillery, January 9, 1877, (Battery "M,") to take place on Army Register next after Second Lieutenant Henry D. Borup.

IV...RETIRED.

On his own application, after thirty years' service, in conformity with section 4, *act of July* 15, 1870. [*Section* 1243, *Revised Statutes.*]

Major Truman Seymour, Fifth Artillery, November 1, 1876.

For incapacity resulting from long and faithful service, from wounds or injury received, from disease contracted, or from exposure in the line of duty, in conformity with sections 16 *and* 17, *act of August* 3, 1861. [*Section* 1251, *Revised Statutes.*]

Major Thomas H. Halsey, Paymaster, February 9, 1877.

By direction of the President, in conformity with section 12, *act of July* 17, 1862. [*Section* 1244, *Revised Statutes.*]

Colonel Horace Brooks, Fourth Artillery, January 10, 1877.
Colonel Joseph J. B. Wright, Surgeon, December 31, 1876.
Major Valentine C. Hanna, Paymaster, January 11, 1877.
Post Chaplain Aquila A. Reese, March 2, 1877.

With retired pay of Lieutenant Colonel, in conformity with the acts of Congress approved March 3, 1877.

Captain Thomas E. Maley, U. S. Army, retired—to date from March 3, 1877.

Captain Charles G. Freudenberg, U. S. Army, retired—to date from March 3, 1877.

RETIREMENTS AMENDED.

Captain William P. Huxford, for "incapacity, &c.," in conformity with sections 16 and 17, act of August 3, 1861, instead of "with pay proper alone," in conformity with section 17 of the same act—to date from September 10, 1868.

Paul Quirk, with the rank of Captain—mounted—to date from July 28, 1866, instead of with rank of First Lieutenant—mounted—to date from March 3, 1875, as announced in Official Army Register of January 1, 1877.

V...CASUALTIES.

RESIGNED. (9.)

Captain George McC. Miller, Assistant Surgeon, January 1, 1877.

Captain Edward R. Ames, Sixth Infantry, October 31, 1876. [Since appointed Second Lieutenant, Sixth Infantry.]

Captain Andrew Sheridan, Twenty-fourth Infantry, January 5, 1877.

First Lieutenant Martin P. Buffum, Fifteenth Infantry, February 22, 1877.

First Lieutenant William J. Reedy, Twenty-second Infantry, March 10, 1877.

Second Lieutenant William B. Wetmore, Sixth Cavalry, December 1, 1876.

Second Lieutenant Frank S. Hinkle, Fifth Infantry, January 31, 1877.

Second Lieutenant Denis Ryan, Twenty-second Infantry, January 8, 1877.

Second Lieutenant Edgar S. Beacom, Twenty-fourth Infantry, March 31, 1877.

COMMISSIONS VACATED.

By Colonel Charles McCormick, Surgeon—his commission of Assistant Medical Purveyor, with the rank of Lieutenant Colonel, December 31, 1876.

By Lieutenant Colonel George E. Cooper, Assistant Medical Purveyor—his commission of Surgeon, with the rank of Major, December 2, 1876.

By Lieutenant Colonel Ebenezer Swift, Assistant Medical Purveyor—his commission of Surgeon, with the rank of Major, December 31, 1876.

DECLINED.

By Second Lieutenant Daniel C. Pearson, Second Cavalry—the appointment, by transfer, of Second Lieutenant, Seventh Cavalry, June 26, 1876.

By Second Lieutenant George F. Chase, Third Cavalry—the appointment, by transfer, of Second Lieutenant, Seventh Cavalry, June 26, 1876.

By Isaac R. Dunkelberger (late Captain, First Cavalry)—the appointment of Second Lieutenant, Tenth Cavalry, August 15, 1876.

CANCELED.

The appointment of Edwin P. Brewer, to be Second Lieutenant, Second Cavalry, August 31, 1876. [Appointed to Seventh Cavalry.]

DIED. (23.)

Brigadier General William F. Lynch, U. S. Army, (retired,) at Fort Larned, Kansas, December 29, 1876.

Brigadier General Amos B. Eaton, U. S. Army, (retired,) at New Haven, Connecticut, February 21, 1877.

Colonel James A. Hardie, Inspector General, at Washington, District of Columbia, December 14, 1876.

Colonel John J. Abercrombie, U. S. Army, (retired,) at Roslyn, Long Island, January 3, 1877.

Lieutenant Colonel Charles H. Laub, Assistant Medical Purveyor, at Soldiers' Home, District of Columbia, December 2, 1876.

Lieutenant Colonel Oscar A. Mack, Twenty-first Infantry, at Brunswick, Missouri, while *en route* to Washington, District of Columbia, October 22, 1876.

Major Alexander B. Hasson, Surgeon, at Fort Trumbull, Connecticut, March 19, 1877.

Captain George S. Rose, Assistant Surgeon, at Madison Barracks, Sacket's Harbor, New York, November 20, 1876.

Captain Thomas M. Deane, Ordnance Storekeeper, at Brooklyn, New York, January 21, 1877.

Captain Thomas B. Weir, Seventh Cavalry, at New York City, December 9, 1876.

Captain James W. Piper, Fifth Artillery, at Carlisle, Pennsylvania, October 30, 1876.

Captain Hamilton Lieber, U. S. Army, (retired,) at Baden Baden, Germany, October 18, 1876.

First Lieutenant John H. Weeden, Corps of Engineers, at San Francisco, California, January 29, 1877.

First Lieutenant John G. Kyle, First Cavalry, at Xenia, Ohio, March 30, 1877.

First Lieutenant John A. McKinney, Fourth Cavalry, killed, November 25, 1876, in action with Indians on north fork of Powder River, Wyoming Territory.

First Lieutenant Alfred B. Bache, Fifth Cavalry, at Fort Dodge, Kansas, November 12, 1876.

First Lieutenant Jonathan B. Hanson, Tenth Infantry, at Washington, District of Columbia, November 2, 1876.

First Lieutenant Erskine M. Camp, Twelfth Infantry, at Camp Halleck, Nevada, December 28, 1876.

First Lieutenant Richard W. Ross, U. S. Army, (retired,) at Rising Sun, Iowa, August 12, 1876.

First Lieutenant Leonard J. Whiting, U. S. Army, (retired,) at Cantonment at mouth of Tongue River, Montana Territory, November 10, 1876.

Second Lieutenant Vinton A. Goddard, Fourth Artillery, at Washington, District of Columbia, March 2, 1877.

Second Lieutenant Augustine McIntyre, Second Infantry, killed, February 10, 1877, near Ellijay, Gilmer County, Georgia, whilst in command of detachment acting as a possé to United States Marshal.

Post Chaplain Alexander McLeod, at Meadville, Pennsylvania, February 9, 1877.

DROPPED FOR DESERTION. (1.)

In conformity with section 17, *act of July* 15, 1870.

First Lieutenant William J. Kyle, Eleventh Infantry, February 8, 1877.

DISMISSED. (4.)

Captain William Harper, jr., Sixth Cavalry, November 15, 1876.

First Lieutenant Sylvester S. Bedal, Assistant Surgeon, February 10, 1877.

First Lieutenant Stephen O'Connor, Twenty-third Infantry, March 16, 1877.

Second Lieutenant James E. Macklin, Twenty-second Infantry, November 20, 1876. [Since appointed Second Lieutenant, Eleventh Infantry.]

VI...Officers have been arranged in the foregoing order to the companies and batteries to which they have succeeded in the natural course of promotion or appointment, or to which they have been assigned by competent authority.

VII...Acceptance or non-acceptance of appointment, and, in case of acceptance, the birth-place of the officer appointed, his age and residence when appointed, and his full name, correctly written, will, in all cases, be promptly reported to the Adjutant General.

VIII...In case of the death of an officer, it is hereby made the duty of his immediate commanding officer to report the fact at once, direct to this office, stating the cause, date, and place.

When an officer, away from his command, dies in hospital or under treatment, the medical officer in charge will forward the report as above required; if not under treatment by an Army medical officer, the report will be made by any officer having cognizance of the fact.

By command of General Sherman:

E. D. TOWNSEND,
Adjutant General.

Official:

Assistant Adjutant General.

GENERAL ORDERS
No. 33.

HEADQUARTERS OF THE ARMY,
ADJUTANT GENERAL'S OFFICE,
Washington, April 7, 1877.

Each Department commander will designate some post as a depot, at which, prisoners sentenced to confinement in the Leavenworth Military Prison, may be collected from the several posts in the Department.

These prisoners will only be forwarded from the depot to the Military Prison when a party of reasonable size shall have been collected, and then only on the order of the Department commander, who shall also fix the strength of the guard to accompany the party.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS
No. 34.

HEADQUARTERS OF THE ARMY,
ADJUTANT GENERAL'S OFFICE,
Washington, April 9, 1877.

The following extracts of an Act of Congress are published for the information and government of all concerned:—

AN ACT establishing post-roads and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That * *

SEC 5. That it shall be lawful to transmit through the mail, free of postage, any letters, packages, or other matters relating exclusively to the business of the Government of the United States: *Provided*, That every such letter or package to entitle it to pass free shall bear over the words "Official business" an endorsement showing also the name of the Department, and, if from a bureau or office, the names of the Department and bureau or office, as the case may be, whence transmitted. And if any person shall make use of any such official envelope to avoid the payment of postage on his private letter, package, or other matter in the mail, the person so offending shall be deemed guilty of a misdemeanor, and subject to a fine of three hundred dollars, to be prosecuted in any court of competent jurisdiction.

SEC. 6. That for the purpose of carrying this act into effect, it shall be the duty of each of the Executive Departments of the United States to provide for itself and its subordinate offices the necessary envelopes: and in addition to the endorsement designating the Department in which they are to be used, the penalty for the unlawful use of these envelopes shall be stated thereon.

* * * * * *

Approved, March 3, 1877.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 35. } ADJUTANT GENERAL'S OFFICE,
Washington, April 11, 1877.

The following extracts of an Act of Congress, supplemental to General Orders No. 29, March 29, 1877, from this office, are published for the information and government of all concerned:—

AN ACT to perfect the revision of the statutes of the United States, and of the statutes relating to the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of correcting error[or]s and supplying omissions in the act entitled "An act to revise and consolidate the statutes of the United States in force on the first day of December, anno Domini one thousand eight hundred and seventy three," so as to make the same truly express such laws, the following amendments are hereby made therein:

Section one hundred and ninety seven is amended by inserting at the end of the section the words "except supplies of stationery and fuel in the public offices and books, pamphlets, and papers in the Library of Congress."

* * * * *

Section two thousand and thirty four is amended by inserting in the last line after the word "Secretary", the word "of".

* * * * *

Section twenty one hundred and thirty nine is amended by striking out, in lines two and three, the words "except an Indian in the Indian country".

* * * * *

Section thirty-six hundred and eighteen is amended by inserting, after the word "Army" in the fifth line, the words "or of materials, stores, or supplies sold to officers and soldiers of the Army".

Section thirty-six hundred and twenty is amended by inserting, after the word "law" in the fifth line, the words "and draw for the same only in favor of the persons to whom payment is made".

Section thirty-six hundred and twenty-two is amended by striking out, in the nineteenth line, the word "Department", and inserting the word "Departments".

* * * * *

Section thirty-six hundred and sixty-three is amended by striking out, in the fifth line, the word "plan", and inserting the word "plans".

* * * * *

Section thirty-six hundred and ninety-two is amended by inserting, after the word "Army," in the third line, the words "or from the sale of materials, stores, or supplies sold to officers and soldiers of the Army".

Section thirty-seven hundred and fourteen is amended by adding at the end of the section the following:

"And all agents or contractors for supplies or service as aforesaid shall render their accounts for settlement to the accountant of the proper department for which such supplies or services are required, subject, nevertheless, to the inspection and revision of the officers of the Treasury in the manner before prescribed."

* * * * *

Section thirty-seven hundred and forty-two is amended by inserting, in the fourth line, after the words, "member of", the words "or delegate to".

* * * * *

Section forty-seven hundred and eighty-seven is amended by adding at the end of the section the following:

"The provisions of this section shall apply to all officers, non-commissioned officers, enlisted and hired men of the land and naval forces of the United States, who, in the line of their duty as such, shall have lost limbs or sustained bodily injuries depriving them of the use of any of their limbs, to be determined by the Surgeon-General of the Army; and the term of five years herein specified shall be held to commence in each case with the filing of the application for the benefits of this section."

Section forty-seven hundred and ninety is amended by inserting, in the second line, after the word "rebellion," the words "or is entitled to the benefits of section forty-seven hundred and eighty-seven".

Section forty-seven hundred and ninety-one is amended by adding at the end of the section the following:

"The transportation allowed for having artificial limbs fitted shall be furnished by the Quartermaster-General of the Army, the cost of which shall be refunded from the appropriations for invalid pensions."

* * * * *

Section fifty-two hundred and sixty-nine is amended by adding at the end of the section the following: "to be recovered by an action or actions at law in any district court of the United States."

* * * * *

Section fifty-four hundred and fifty-five is amended by inserting, after the word "seaman" in the twelfth, fourteenth, and fifteenth lines, and after the word "sailor", in the seventeenth line, the words "or other person", and by adding to the section the words "to be enforced in any court of the United States having jurisdiction."

* * * * *

Approved, February 27, 1877.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS
No. 36.

HEADQUARTERS OF THE ARMY,
ADJUTANT GENERAL'S OFFICE,
Washington, April 16, 1877.

By direction of the Secretary of War so much of the regulations adopted for the government of the military prison, and published in General Orders No. 12, February 19, 1877, from this office, as prescribes the diet for prisoners, is amended so as to authorize the supply of food in such variety as will be most conducive to health and best meet the requirements of the climate, the kind of labor performed, and other circumstances surrounding the prisoners, provided the average daily cost per man be not increased.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 37. } ADJUTANT GENERAL'S OFFICE,
Washington, April 18, 1877.

Superintendents of National Cemeteries being civilians, and now paid by the Quartermaster's Department as other civil employees thereof, the following regulations from the Secretary of War are promulgated for the information and guidance of all concerned:—

I...In view of the responsibility attached to the position of Superintendent, and his not being generally under the direct supervision of a superior officer, it is of great importance that none but men of excellent character and fair abilities should be appointed.

Applicants must therefore fulfill the following conditions, viz:—

1st. They must have served in the Army of the United States, either regular or volunteer, and must have been disabled for active field service *in the line of duty*, but *the degree of their present disability must not be such as to impair their efficiency in charge of Cemeteries.*

2d. They must be of steady, sober, and correct habits.

3d. They must have a fair degree of intelligence and education, and must be able to write legibly.

II...All applications for the appointment of Superintendent should be addressed to the Quartermaster General of the Army, and be accompanied by testimonials of responsible persons in support of the above requirements. They must be in the handwriting of the applicant, and must give his full name, length of service, the company and regiment he last served in, date and cause of his discharge, and his present place of residence.

No applications from enlisted men in the Army will be entertained, such men being ineligible under the law.

III...All applicants, before being appointed, will be examined by a Board of Officers to be convened, by orders from the Adjutant General's Office, in the Department where they may be residing or serving. An applicant having passed a satisfactory examination, will, if selected for appointment, be required to serve a probationary term of six months as an assistant at such Cemetery as the Quartermaster General may designate before being definitely appointed.

Applicants thus selected will be hired by the Quartermaster's Department, at the rate of $40 per month, and furnished with transportation from and to their homes.

If at the expiration of this probationary term the applicant has shown his fitness for the position, he will then be eligible for appointment when a vacancy occurs. Should there be no vacancy at the end of the term, his employment will cease. He will then, in his turn, be duly appointed as vacancies occur.

The number of candidates on probation will at no time exceed four.

IV...The pay of Superintendents is $60, $65, $70, $75, per month, according to the grade of the Cemetery to which they are assigned, with quarters and fuel.

V..."The Superintendents of the national cemeteries shall be selected from meritorious and trustworthy soldiers, either commissioned officers or enlisted men of the volunteer or regular Army, who have been honorably mustered out or discharged from the service of the United States, and who may have been disabled for active field service in the line of duty."—(*Section* 4874, *Revised Statutes of the United States.*)

VI...Changes in the classification of Cemeteries will continue to be made in orders through the Adjutant General's Office.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS
No. 38.

HEADQUARTERS OF THE ARMY,
ADJUTANT GENERAL'S OFFICE,
Washington, April 19, 1877.

By direction of the Secretary of War the following additional regulations on the subject of soldiers' deposits are announced for the government of all concerned:—

Before delivering to discharged soldiers final statements upon which deposits are credited, the officer signing the statements will ascertain if the soldier has the certificates of deposit in his possession. If so, he should be instructed to present them, with his final statements, to the Paymaster.

Should he claim to have lost the certificates, the officer will cause the soldier's affidavit to the facts to be made (before a Judge Advocate or Post Adjutant) in duplicate and attached to the statements.

The affidavit should clearly set forth the fact and circumstances of loss of the certificates, and that the soldier has not sold or assigned them.

Upon this evidence the Paymaster may pay without the certificates of deposit heretofore required in all cases to accompany the final statements; and the responsibility for the correctness of the amounts credited on the statements will rest wholly with the officer certifying them.

Paymasters will make no payment of deposits *excepting on final statements.*

Where repayment is not made on final statements, the soldier should forward the certificates, or the evidence above described, to the Paymaster General's Office, where alone such claims will be settled.

The attention of enlisted men should be called to the importance of preserving certificates of deposit as the only certain means of insuring absolutely correct repayment without delay.

The attention of officers certifying final statements is especially reinvited to the provisions of paragraph 17, first clause of paragraph 19, and last clause of paragraph 20, (pages 8 and 9,) of General Orders No. 51, Adjutant General's Office, series of 1872; the same being too often neglected.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 39. } ADJUTANT GENERAL'S OFFICE,
Washington, April 20, 1877.

I...The following order, received from the War Department, is published for the information and guidance of all concerned:—

WAR DEPARTMENT,
Washington City, April 17, 1877.

The proceedings of General Courts-Martial will in all cases be transmitted by the Department Commander who appointed the Court, or by the Judge Advocate of a Court appointed by the President, directly to the Judge Advocate General of the Army, as required by law. Such reports as the Judge Advocate General may make upon cases requiring the action of the President will be addressed to the Secretary of War, and forwarded through the General of the Army, for such remarks and recommendations as he may see fit to make.

GEO. W. MCCRARY,
Secretary of War.

II...By direction of the Secretary of War *all* articles furnished by the Ordnance Department will be considered as being included under the provisions of Paragraph 1023, Revised Regulations of 1863, in relation to sale of condemned ordnance and ordnance stores.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 40. } ADJUTANT GENERAL'S OFFICE,
Washington, April 25, 1877.

The following regulations are published for the information and guidance of all concerned:—

I...The Quartermaster's Department will provide transportation in kind, when required, for officers and enlisted men on recruiting service, and for recruits, only in the following cases, to wit:

For Officers.

1. For journey to report to Superintendent, under orders detailing the officer on recruiting service.

2. For journey in conducting assigned recruits to regiments or stations.

3. For journey, under orders to rejoin recruiting service, after conducting recruits to regiments or stations, and

4. For journey to rejoin regiment or station when relieved from recruiting service.

For Enlisted Men.

5. For journey from regiment or station under orders to join the recruiting service.

6. For journey in conducting assigned recruits to regiments or stations.

7. For journey in returning to proper station after conducting recruits to regiments or stations, and

8. For journey in returning to regiment or station after having been relieved from recruiting service.

For Recruits.

II... Transportation will be provided by the Quartermaster's Department for recruits to regiments or stations after assignment thereto.

III...For recruits who, after assignment and before joining their regiments or stations, desert and are arrested and delivered to proper authority at any military post or recruiting station, transportation will be provided from that military post or station to such places as they may be sent; provided, that if arrested by an officer of the

Army, transportation will be provided from the place of arrest; and provided further, that when deserters are arrested by or delivered to recruiting officers, the transportation, when necessary, may be provided by such officers, and paid for out of recruiting funds, the amount so paid to be reimbursed to the recruiting fund in all cases where the desertion is after assignment, from the appropriations for the Quartermaster's Department, by the Treasury Department, in the settlement of accounts therefor. The accounts will state that the amount was paid for the transportation of a deserter, assigned or unassigned, as the case may be.

IV...For all other journeys of officers and enlisted men on recruiting service, and of recruits, transportation will be provided by proper recruiting officers, and paid for from recruiting funds.

V...Transportation of rejected recruits, and of recruits who may desert before assignment, will not be provided and paid for by the Quartermaster's Department, except as provided for in paragraph III of this order.

VI...Officers will be paid mileage by the Pay Department, in lieu of being furnished transportation in kind by the Quartermaster's Department, if they so elect, for all journeys specified in subdivisions 1, 3, and 4, of paragraph I of this order, except when traveling on a conveyance belonging to or chartered by the United States, or on a railroad on which the troops of the United States are by law to be transported free of charge, or at less than full rates, in which cases transportation in kind only can be furnished. See paragraphs 1 and 4 of General Orders No. 97, Adjutant General's Office, 1876.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 41. } ADJUTANT GENERAL'S OFFICE,
Washington, April 26, 1877.

The following regulations have been adopted by the Secretary of War for the information and guidance of all concerned:—

Section twelve hundred and seventy, Revised Statutes of the United States, as amended by Act of Congress approved February 27, 1877, provides that when forage in kind cannot be furnished by the proper departments, then, and in all such cases, officers entitled to forage may commute the same according to existing regulations.

In order to receive the benefits of the above-mentioned law, all officers of the Army entitled to forage are required to produce the certificate of the Quartermaster, when there is one, or of the commanding officer, when there is no Quartermaster, that forage in kind cannot be furnished.

When the officer is on detached duty he should apply to the nearest Quartermaster to be furnished with forage in kind, and if forage cannot be furnished, and the Quartermaster to whom he applies furnishes no certificate to that effect, his own certificate, with the additional statement that there is no commanding officer or Quartermaster serving with him, is necessary.

When any officer of the Quartermaster's Department certifies that forage cannot be furnished in kind by that Department, to enable an officer to draw commutation of forage, he will, immediately upon signing such certificate, send a copy thereof to the Quartermaster General, with a report of the causes which make it impracticable to furnish forage in kind, the name of the officer, the number of horses, and the time for which the certificate is given.

Forage in kind is to be issued only during the month in which it is needed, and the certificate, when given, should be for each month separately.

All officers signing such certificates will be held to a strict accountability therefor. There are few posts where an efficient Quartermaster cannot make arrangements to furnish forage in kind to all persons authorized to draw it.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 42. } ADJUTANT GENERAL'S OFFICE,
Washington, May 1, 1877.

By direction of the President of the United States the Military Department of the Gulf is hereby transferred from the Division of the Missouri to the Division of the Atlantic.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 43. } ADJUTANT GENERAL'S OFFICE,
Washington, May 3, 1877.

By and with the approval of the Secretary of War, the following orders will be observed:—

When officers and soldiers die at temporary camps, or on detached service, and their bodies are not claimed by parents or parties who have a natural right to them for proper interment, the immediate commanding officer will cause the body to be decently coffined and transported for burial at the expense of the Quartermaster's Department to the nearest regular fort, barrack, or National Cemetery, the property of the United States, unless in the judgment of such commanding officer burial at the place of death be proper and right. A report in each case to be made to the Adjutant General of the Army.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 44. } ADJUTANT GENERAL'S OFFICE,
Washington, May 4, 1877.

By direction of the Secretary of War the following decision of the Supreme Court of the United States is published for the information of the Army:—

SUPREME COURT OF THE UNITED STATES.

963, 961, 962, 964, and 960.—OCTOBER TERM, 1876.

THE UNITED STATES, *Appellants*,
963. vs. } Appeal from the Court of Claims.
FREDERICK PHISTERER.

An officer who is ordered home to await orders (under the consolidating act of March 3, 1869), from a post at which he is doing military duty, is entitled to mileage while traveling in pursuance of such order.

Section 1110 [1109] of the army regulations of 1866, that an officer who travels not less than ten miles without troops, escort, &c., under special orders from a superior, &c., shall receive ten cents mileage, applies to such case.

The case is not controlled by § 1117, providing that when officers are "permitted to exchange stations," &c., they must bear their own expenses.

The home of the officer to which he is ordered is not a military station. A military "station" is merely synonymous with military "post." In each case it means not an ordinary residence, having nothing military about it except that one of its occupants holds a military commission, but a place where military duty is performed or stores are kept or distributed, or something connected with war or arms is kept or done.

There being no exchange of stations, the case is governed by § 1110, [1109,] and the officer is entitled to his mileage.

By § 1080 of the regulations, "when public quarters cannot be furnished to officers at stations without troops, quarters will be commuted at a rate fixed by the Secretary of War, and fuel at the market prices."

An officer ordered home to await orders is not entitled to this commutation. His home is not a "station" within the meaning of this regulation.

Mr. Justice HUNT delivered the opinion of the Court.

The present case is one of a class of which several are now pending in this court, and many more it is understood are before the Court of Claims.

The claimant was a captain of infantry in the United States army, and on the 7th day of January, 1870, by special order from the Adjutant-General's office, at his own request, was ordered home to await orders. This was done by virtue of the consolidating act of March 3d, 1869. The claimant proceeded from Fort Bridger, Wyoming Territory, where he then was, to his home in

New York city. On the 28th of February, 1870, he reported as waiting orders at that place, and afterwards as waiting orders at Littleton, N. J., which was then his home.

The claim now made is for mileage in traveling from Fort Bridger to New York, and for commutation for quarters and for fuel while thus awaiting orders.

The Court of Claims allowed the petitioner both for his mileage and the commutation for quarters and fuel during the period mentioned. The questions will be separately considered.

1. As to mileage.

Comment is made upon the circumstance that the claimant reported himself to the department as awaiting orders at the city of New York, on the 31st of January, 1870, specifying that place as his home, and that on the 31st of March following, he reported himself at Littleton, N. J., specifying that place as his home. We see nothing in this that should prejudice the claimant's right of recovery. New York may well have been his home in January, and Littleton his home in March. It is not extraordinary nor a ground of suspicion that an officer should change his place of residence. Whether he resided in New York or in New Jersey could make no difference in his position in the army or in his liability or readiness to respond to any orders given to him. It was indeed important that he should keep the department advised of his residence, that he could be called upon when it was desired. This he did. The department made no objection to this change of residence at the time, nor does it place its refusal to pay the mileage upon this ground. We think the circumstance quite unimportant.

The effect of the order to proceed to his home and there to await orders and the difference between this status and that of an officer "absent from duty with leave," was considered by this court in The United States vs. Williamson.—(23 Wall., 411.) That decision secures to the officer his full pay while thus awaiting orders, and we find no occasion to correct anything contained in it. We are still of the opinion that the officer was not absent on leave, but that he was awaiting orders at his home. It results also from this decision that in thus proceeding to his home he was traveling under orders.

The provision relating particularly to the case we are considering is found in § 1109 of the army regulations authorized and confirmed by the act of July 28, 1866. It is there provided that "an officer who travels not less than ten miles without troops, escort, or military stores, and under special orders in a case from a superior, or a summons to attend a military court, shall receive ten cents mileage." This means that he shall be entitled to an allowance of ten cents for each mile thus traveled. It is hardly denied that the claimant was traveling within the meaning of this regulation.

But it is contended that under regulation § 1117, the department was justified in withholding the allowance. That regulation is in these words: "When officers are permitted to exchange stations, or are transferred at their own request from one regiment or company to another, the public will not be put to the expense of their transportation. They must bear it themselves." If A at one station and B at another desire to exchange stations or regiments or companies with each other, and prefer a request to that effect, the provision

assumes that the commanding officer may, in his discretion, grant it, but, as no public interest is advanced by it, and it is consented to for the advantage or pleasure of the two officers, they must bear their own expense of transportation in making the exchange. This is just and reasonable.

We are inclined to think that it would be too narrow a construction of this provision to hold that it required that two officers should be concerned in the exchange. An exchange from one station to another station by the same officer at his own request, if found compatible with the public service, would be within the words of the rule, and apparently as much within its spirit as when the exchange was made by and between two officers.

But we are of the opinion that Captain Phisterer did not make an exchange of stations within the meaning of this regulation. In other words, although he left a military station at Fort Bridger, his home at New York, to which he went, did not become and is not to be deemed a military station. In the broadest use of language no doubt the word station means a place or position, and it may be said that wherever a man, in pursuance of orders, stays or remains, he is stationed, and that if he is a military man, such place becomes a military station. This word (station) has a recognized and a different meaning under different circumstances. It is a technical word in church regulations, in the science of ecclesiology, in the civil law, in surveying, in railroad language, and in military science.—(See Richardson and Worcester Dic.)

A "military station" is merely synonymous with the term "military post," and means a place where troops are assembled, where military stores, animate or inanimate, are kept or distributed, where military duty is performed or military protection afforded,—where something, in short, more or less closely connected with arms or war is kept or is to be done.

In the army regulations the two terms are often used convertibly. Thus, in the regulations of 1847:

If a post or *station* should prove unhealthy, the troops may be removed, &c.—(11, par. 57.)

Whenever a military post or *station* shall be abandoned, the property should be turned over, &c.—(11, par. 58.)

Commanding officers of forts and *stations* on the sea-coast to aid in quarantine regulations.—(11, par. 61.)

The military force at any post or *station* in the Indian Territory shall be employed, &c.—(17, par. 91.)

Whenever an officer is ordered from one station to another, or for the performance of any duty, not being with troops, he shall *proceed by the most direct route* without *unnecessary delay*, nor is he, under any pretence whatever, except that of sudden illness, to apply for leave of absence from the time he quits the station at which he receives the order until he has arrived at his place of destination.—(45, par. 227.)

Whenever such officer shall appear to have made unusual or unnecessary delay, he shall immediately report the cause to the commanding officer of the post.—(45, par. 228.)

It is a misuse of language to designate as a post or a military station a cottage in a country village in no way distinguishable in its use or appointments from every other residence in the village, because one of the persons

who lives in it is an officer in the army. There was no exchange of stations by Captain Phisterer, and, therefore, nothing to except his case from the general law which allowed him mileage for his travel in proceeding to his home.

2. The claim for commutation for quarters and commutation for fuel while at New York and New Jersey is to be considered.

Among the army regulations established by the act of March, 1863, are the following, under the head of quartermaster's department: §1064. "This department provides the quarters and transportation of the army, * * fuel, forage," &c. "Barracks and quarters." §1066. "Under this head are included the permanent buildings for the use of the army as barracks, quarters, hospitals, storehouses, officers' stables." §1068. "The number of rooms and amount of fuel for officers and men are as follows: * * Captain, 2 rooms, 1 as kitchen; cords of wood, ¾ or 3 per month, according to the season of the year." §1071. "No officer shall occupy more than his proper quarters, except by order of the commanding officer, when there is an excess of quarters at the station." * * §1073. "Fuel issued to officers or troops is public property for their use; what they do not actually consume shall be returned to the quartermaster and taken up on his quarterly return." §1077. "An officer may select quarters occupied by a junior; but having made his choice he must abide by it, and shall not again at the fort displace a junior unless himself displaced by a senior." §1080. "When public quarters cannot be furnished to officers at stations without troops, or to enlisted men at general or department headquarters, quarters will be commuted at a rate fixed by the Secretary of War, and fuel at the market price delivered." * * §1083. "Officers absent from their appropriate duties for a period exceeding six months, either with or without leave, shall not receive the allowances" mentioned. §1084. "Officers and troops in the field are not entitled to commutation for quarters or fuel."

The claimant bases his demand upon §1080, above set forth. To maintain this claim it must be held that Captain Phisterer, while at his house in New York and in New Jersey, was at a station without troops. That he was without troops is plain enough, but that his home on these occasions was not a military station, we have undertaken to show when considering his claim for mileage. The same construction of the word station which gives him his mileage, cuts off his claim for commutation.

We think the regulation we have referred to was not intended for a case like that we are considering, that is, where an officer is at his own home awaiting orders and having no public duty whatever to perform.

Quarters are expected to be furnished by the government to its officers; when it cannot thus furnish it allows them to be obtained otherwise, and pays a money compensation therefor, called commutation. This is upon the assumption, first, that the officers are actually engaged in the public service; and, second, that such quarters are necessary to the discharge of their duty. It is upon the latter idea that commutation for fuel and quarters is not allowed to officers when in the field. The duty there is public not only, but of the most necessary character, still apartments, kitchen, and offices are not there necessary, and cannot be commuted for.

We are of opinion that the claimant was not at a station, in the sense that he is entitled to public quarters, or to a compensation in the form of commutation for rooms and apartments or fuel, obtained or supposed to be obtained in lieu of those expected to be furnished by the government. In making this allowance we think the Court of Claims erred.

The briefs submitted contain suggestions of what would be the result in various cases, which, it is said, may arise under these regulations. Our judgment is intended to be given upon the precise case before us and upon no other. Should other cases be presented the Court of Claims will give them the attention required, as will this court should they come here. Both courts have business enough to occupy them, without anticipating cases which may never be presented.

The judgment of the Court of Claims is reversed, and the cause remanded to that court with directions to enter a judgment in favor of the claimant for the mileage, and denying his petition as to the claim of commutation for quarters and fuel.

961. United States vs. Chilson.

Claim for commutation for fuel and quarters.

Judgment reversed.

962. The Same vs. Rheem.

The same as 961.

964. The Same vs. Lynde.

The same as 961.

960. The Same vs. Mears.

Claim to recover back mileage alleged to be wrongfully paid by Mears, as paymaster, to Lt. Lawson, and which the government charged against Mears in his account. The officer was entitled to his mileage, and the payment was rightly made. The judgment in favor of the paymaster, Mears, is affirmed.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 45. } ADJUTANT GENERAL'S OFFICE,
Washington, May 8, 1877.

I...The 16th Regiment of Infantry is hereby transferred from the Department of the Gulf to the Department of the Missouri, subject to assignment by the Division Commander. The regiment will be sent to Fort Leavenworth in the most convenient manner, without undue haste, so as to reach its destination in June.

II...The companies of the 22d Infantry heretofore detached to the Department of Dakota will be relieved as soon as their services can be spared, preferably before the 1st of July, and ordered back to their posts on the Northern lakes, reporting on arrival to the Commanding General Division of the Atlantic.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 46. } ADJUTANT GENERAL'S OFFICE,
Washington, May 8, 1877.

The following regulations, approved by the Secretary of War, are published for the information and guidance of all concerned:—

I...Hereafter officers who pay accounts for the transportation of persons *en route* to procure artificial limbs, or returning therefrom, will, as soon as payment is made, forward the original account to the Quartermaster General; and, in letter of transmittal, will say that "the account is forwarded under the provisions of General Orders No. 46, of 1877, that it may be referred to the Surgeon General for repayment to the Quartermaster's Department." The paying officer will take credit for the amount paid on his abstract "B" for the month, and will note thereon the fact that the account was forwarded to the Quartermaster General on (date to be specified) for the purpose aforesaid.

On receipt of the account by the Quartermaster General, he will cause it to be duly examined, and, if found correct, to be forwarded to the Surgeon General, with request that the amount be paid to the Depot Quartermaster, Washington, D. C., and the Surgeon General will cause the amount to be so paid by the disbursing officer of his bureau from the appropriation for artificial limbs.

The Depot Quartermaster will receive the money and deposit it in the Treasury of the United States, to the credit of the appropriation for Army transportation; and in his account current for the month will state from whom the money was received, and that it was a refundment to the Quartermaster's Department from the appropriation for artificial limbs, of a sum paid by ————, Quartermaster, U. S. A., on voucher No. ——, for ———, 18—,for the transportation of a person (or persons) *en route* to procure an artificial limb. He will also immediately notify the Third Auditor of the Treasury by letter of the receipt of the money (stating from whom received, when received, and the amount) to reimburse the Quartermaster's Department for amount paid by (state whom, when paid, and on what voucher) for the transportation of a person (or persons) *en route* to procure an artificial limb; that the amount has been

deposited with the Treasurer of the United States to the credit of the appropriation for Army transportation, and will be accounted for on his account current for the month of ———.

On referring an account to the Surgeon General for refundment, the Quartermaster General will notify the Depot Quartermaster of his action, and in doing so will give the name of the Quartermaster who made the payment, the date and number of the voucher on which payment was made, and the amount paid, and will state that the payment was for the transportation of a person (or persons) *en route* to procure an artificial limb.

II...The foregoing regulations will govern in the settlement of accounts for transportation of persons to the Soldiers' Home, except that, instead of referring the account to the Surgeon General, it will be referred to the Treasurer of the Soldiers' Home for refundment. But no accounts for transportation of this class of persons will be settled except such as are ordered by the Secretary of War on the application of the Board of Commissioners of the Soldiers' Home.

III...The following order has been received from the War Department:—

Post Commanders may, when they consider it necessary, order the issue of corn brooms on special requisitions, as follows:

To a Post School, not exceeding six per annum.

To a Post Chapel, not exceeding three per annum.

To a Post Library, not exceeding four per annum.

By command of General Sherman:

E. D. TOWNSEND,
Adjutant General.

Official:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 47. } ADJUTANT GENERAL'S OFFICE,
Washington, May 9, 1877.

The following instructions are received from the War Department:—

All recruiting to be stopped immediately, except that non-commissioned officers may be re-enlisted in their own companies, provided they re-enlist at the time of expiration of their enlistment, and at the posts where their companies are. When a company is below the standard herein prescribed, the company commander may re-enlist any good soldier of his company whose term expires, provided it is done at the date of discharge from previous enlistment on expiration of its term, and at the station of the company.

To bring the Army down to the standard of 25,000, in accordance with the terms of the Act of August 15, 1876, the following is the standard fixed for all organizations except Cavalry:

Enlisted men of Engineers	200
Enlisted men of Ordnance	350
Ordnance Sergeants at posts	114
Commissary Sergeants at posts	148
Hospital Stewards	200
West Point detachments	200
Recruiting parties	300
Indian scouts	600
Guard at military prison	74
65 enlisted men per battery for 5 light batteries of Artillery	325
48 enlisted men per battery for 5 batteries at the Artillery School	240
38 enlisted men per battery for 50 batteries of Artillery, and 5 enlisted men for non-commissioned staff at each of 5 regimental headquarters of Artillery	1,925
37 enlisted men per company for 250 companies of Infantry and 5 for non-commissioned staff at each of 25 regimental headquarters of Infantry	9,375

Company commanders will forward, through regimental headquarters to Department Headquarters, recommendations for discharges in time to have them take effect by or before June 15, 1877, in such number as will by that date reduce their companies to the standard

herein fixed. The recommendations will embrace the following classes:

1. Soldiers whose term of enlistment will expire within four months from July 1, 1877, unless they agree to re-enlist in their companies at the date of expiration of service. All such men are to be absolutely discharged so as to get pay on final statements.

2. Soldiers known to be minors, and to have been improperly enlisted.

3. Such soldiers as would forfeit retained pay under General Orders No. 51, of 1872.

4. Soldiers who desire their discharge, which in the opinion of their company commander may be granted without detriment to the service.

Department commanders will give orders for discharge upon these recommendations. This authority, however, is limited to the present occasion.

The Superintendents of Mounted and General Recruiting Service will give orders for the discontinuance, on June 1, 1877, of all rendezvous for which rent is paid. The recruiting parties will be ordered to the General Recruiting Depots, with their arms and equipments.

The uniform clothing, flags, &c., will be carefully packed and shipped to the nearest depot of the Quartermaster's Department, viz: Philadelphia, Jeffersonville, (Indiana,) or San Francisco.

Unless arrangements can be made to safely store the furniture and other recruiting property—payment to be made when the next appropriation may become available—all such property will be sold.

Such of the officers on the Recruiting Service as are needed, or can be quartered at the depots, will be ordered there; the others will be put on "awaiting orders" until the Recruiting Service can be resumed.

By command of General Sherman:

E. D. TOWNSEND,
Adjutant General.

Official:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 48. } ADJUTANT GENERAL'S OFFICE.
Washington, May 14, 1877.

By direction of the Secretary of War the Quartermaster's Department will, until further orders, supply bugles to foot troops, in addition to drums and fifes.

Trumpets will continue to be supplied to mounted troops as heretofore.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 49. } ADJUTANT GENERAL'S OFFICE,
Washington, May 15, 1877.

The following orders have been received from the War Department:—

WAR DEPARTMENT,
Washington City, May 14, 1877.

Disbursing officers are notified that there will be no funds available for the purchase of supplies for the Army after July 1, 1877. Under section 3732, Revised Statutes, contracts and purchases for clothing, subsistence, forage, fuel, quarters, and transportation may be made to meet actual necessities until Congress shall have had time to act upon an appropriation bill; that is to say, the indispensable requirements of the service from July 1 to December 31, 1877.

All advertisements for contracts under this section, as well as the contracts themselves, will state that the payment depends upon a future appropriation for this purpose. Upon the delivery of supplies under such a contract, disbursing officers are authorized to issue certified vouchers, stating in substance the sum due; to whom due; on what account, and that it has not been paid for want of funds.

General Orders No. 77, of the series of 1873, in so far as it conflicts with this order, is hereby suspended until further orders.

GEO. W. MCCRARY,
Secretary of War.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 50. } ADJUTANT GENERAL'S OFFICE,
Washington, May 18, 1877.

The following orders are received from the War Department:—

WAR DEPARTMENT,
Washington City, May 15, 1877.

The attention of disbursing officers is called to the following provisions of the Revised Statutes:—

SEC. 3678. All sums appropriated for the various branches of expenditures in the public service shall be applied solely to the objects for which they are respectively made, and for no others.

SEC. 3679. No department of the Government shall expend; in any one fiscal year, any sum in excess of appropriations made by Congress for that fiscal year, or involve the Government in any contract for the future payment of money in excess of such appropriations.

SEC. 3682. No moneys appropriated for contingent, incidental, or miscellaneous purposes shall be expended or paid for official or clerical compensation.

SEC. 3690. All balances of appropriations contained in the annual appropriation bills and made specifically for the service of any fiscal year, and remaining unexpended at the expiration of such fiscal year, shall only be applied to the payment of expenses properly incurred during that year, or to the fulfillment of contracts properly made within that year; and balances not needed for such purposes shall be carried to the surplus fund. This section, however, shall not apply to appropriations known as permanent or indefinite appropriations.

SEC. 3732. No contract or purchase on behalf of the United States shall be made, unless the same is authorized by law or is under an appropriation adequate to its fulfillment, except in the War and Navy Departments, for clothing, subsistence, forage, fuel, quarters, or transportation, which, however, shall not exceed the necessities of the current year.

Under these provisions the Department cannot lawfully enter into any contract or agreement unless the same is authorized by law, or is under an appropriation adequate to its fulfillment, except for clothing, subsistence, forage, fuel, quarters, or transportation.

Contracts or agreements for personal or clerical service cannot be lawfully made unless provided for by law or covered by an appropriation therefor. Care must be taken not to involve the Government in any contract for the future payment of money in excess of the appropriation.

Employés for whose payment no appropriation has been made for the next fiscal year will be allowed to continue on duty only in cases where their services are absolutely necessary and *ordered* by proper authority; and where they will stipulate that they do so voluntarily, and without contract or agreement to be paid therefor. This stipulation should be in writing. All employés whose services can be dispensed with, or who decline to remain upon the terms above named, will be discharged on the 30th of June next.

Persons rendering service without contract or agreement, in accordance with this order, may be furnished with a certificate showing the time for which such service is rendered, and the character of the service; but such certificate must state that the services were voluntarily rendered without contract or agreement, and that the holder has no claim for compensation unless Congress shall make an appropriation therefor.

GEO. W. MCCRARY,
Secretary of War.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS
No. 51.

HEADQUARTERS OF THE ARMY,
ADJUTANT GENERAL'S OFFICE,
Washington, May 19, 1877.

The following order has been received from the War Department:—

WAR DEPARTMENT,
Washington, May 18, 1877.

The Army is advised that until Congress shall have made provision for pay purposes of the next fiscal year, no payment whatever can be made by Paymasters for services rendered, or as reimbursement of expenses incurred, for time subsequent to June 30, 1877.

Under the statute, no form of obligation can be issued by Paymasters, or others, pledging the Government to future payment of such claims. There is no objection, however, in the matter of the usual vouchers (for pay, mileage, &c.) of officers, Paymasters' clerks, and messengers, citizen witnesses, and others paid on individual accounts, to endorsing such vouchers, as follows:—

"The within account is correct and due less ——— dollars ($——) of stoppages applicable thereto. There is no appropriation for its payment."

The statement as to stoppages need be placed on pay vouchers only, and should be wholly omitted from such as are not subject of stoppage. Where stoppages cover the entire amount of the voucher, no endorsement will be made upon it.

These endorsements will be made only *after maturity* of the account, and upon both copies of the voucher. They will be signed by the following officers of the Pay Department for the limits designated in each case, *and by none others*, to wit:

Colonel *N. W. Brown*, Assistant Paymaster General, New York City—New England States, New York, Pennsylvania, New Jersey, Delaware, Maryland, and Virginia.

Major *A. Sharp*, Paymaster, Washington, District of Columbia—District of Columbia.

Major *W. B. Rochester*, Paymaster, Atlanta, Georgia—North and South Carolina, Georgia, Florida, Kentucky, and Tennessee.

Major *G. E. Glenn*, Paymaster, New Orleans, Louisiana—Mississippi, Alabama, Arkansas, and Louisiana.

Major *C. M. Terrell*, Paymaster, Detroit, Michigan—Michigan, Ohio, and Indiana.

Major *F. Bridgman*, Paymaster, Chicago, Illinois—Illinois and Wisconsin.

Major *C. J. Sprague*, Paymaster, St. Paul, Minnesota—Minnesota, Iowa, Dakota, and posts on Yellowstone River.

Lieutenant Colonel *F. E. Hunt*, Deputy Paymaster General, Leavenworth, Kansas—Missouri, Kansas, Colorado, Indian Territory, and Fort Elliott, Texas.

Major *W. R. Gibson*, Paymaster, San Antonio, Texas—Texas, (excepting Fort Elliott.)

Major *J. P. Willard*, Paymaster, Santa Fé, New Mexico—New Mexico.

Major *H. C. Pratt*, Paymaster, Omaha, Nebraska—Nebraska, Utah, and Fort Hall, Idaho.

Major *J. E. Blaine*, Paymaster, Helena, Montana Territory—Montana, (excepting posts on Yellowstone River.)

Lieutenant Colonel *H. Prince*, Deputy Paymaster General, San Francisco, California—California, Nevada, and Arizona.

Major *J. H. Eaton*, Paymaster, Portland, Oregon—Oregon, Washington Territory, and Idaho, (excepting Fort Hall.)

Endorsements by the officers above-named will be made only upon vouchers of officers, and others, stationed, or resident, within their respective limits. In case of removal or transfer to other limits, the party must present to the officer named therefor, as an indispensable requisite for endorsement of pay vouchers, a statement, by the pay officer of the old limits, of the latest period for which he had endorsed such vouchers.

Especial pains should be taken, before endorsing vouchers, to see that they are accompanied with all the papers and data necessary to their full completion. Should any uncertainty exist as to the propriety, sufficiency, or correctness of a voucher, (as in the case of mileage claims,) reference should be had to the Paymaster General's Office before endorsement is made.

The above-named officers will keep a careful alphabetical register of vouchers endorsed by them, with view to avoidance of duplicate sets of the same voucher. When provision shall have been made for their payment, these vouchers will be paid only by the officer endorsing them.

In case of termination of service of an officer or Contract Surgeon, no endorsement will be made, after notice thereof, upon any pay voucher of the party concerned, unless it be a final account, duly executed, and accompanied with the required evidence of non-indebtedness.

The pay vouchers of officers should be made up in full, excepting when under forfeiture of pay by sentence of General Court-Martial or on half-pay leave of absence, when the vouchers will be made up for the net amount due, showing the deduction made and the cause thereof.

Where stoppages are noted upon vouchers, the officer making the endorsement will, at once, report the fact to the Paymaster General, with full information as to the name of the party, the time covered by the voucher, and the amount of stoppage.

If deposits are offered by soldiers after June 30, 1877, they will be received and reported in the usual manner, but will not be used for disbursements until an appropriation shall have been made.

GEO. W. MCCRARY,
Secretary of War.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 52. } ADJUTANT GENERAL'S OFFICE,
Washington, May 31, 1877.

By direction of the Secretary of War General Orders No. 259, August 1, 1863, from the War Department, is revoked and the following substituted:—

Veterinary Surgeons of Cavalry regiments, authorized by section 1102, Revised Statutes, amended by the act of February 27, 1877, will be appointed by the Secretary of War, upon the nomination of the regimental commanders based upon the recommendation of a regimental Board of Officers, to consist of three officers present next in rank to the commander of the regiment.

The nominations of candidates so recommended, accompanied by the report of the Board in each case, will be transmitted by the regimental commanders to the Adjutant General of the Army.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 53. } ADJUTANT GENERAL'S OFFICE,
Washington, June 1, 1877.

By direction of the Secretary of War the following order is published to the Army:—

The attention of the officers of the Army is called to the decision of the Supreme Court of the United States, in case of the United States versus *Arthur Martin*, published in General Orders No. 25, Headquarters of the Army, Adjutant General's Office, March 27, 1877, with instructions to conform thereto, and to make their contracts for labor, or for workmen, strictly conform to the ruling custom or practice of civil employers at or near their respective posts. Under this decision, it is competent to fix by agreement the number of hours that shall constitute a day's work, as well as the price to be paid therefor, and it is only in the absence of contract that eight hours is to be regarded as the limit.

In the field and in the wilderness, when fixed hours of labor obtain, ten (10) hours will be fixed by contract as a day's work, when there are eleven (11) hours or more between sunrise and sunset. This allows one hour's rest during the day when the sun is eleven hours above the horizon, and in the heat of summer a longer nooning may be allowed.

Clerks, teamsters, herders, sailors, &c., and all employés on the march or in the field, will be held to such hours as may be expedient and necessary. But except in case of necessity not more than ten (10) hours labor should be required of any workingman.

So much of General Orders No. 46, Headquarters of the Army, dated July 15, 1868, relating to the service of civilian employés, and also of enlisted men employed on extra duty, as conflicts with the decision of the Supreme Court, is hereby revoked.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 54. } ADJUTANT GENERAL'S OFFICE,
Washington, June 11, 1877.

By direction of the Secretary of War the following is substituted for the last three lines of Paragraph II, General Orders No. 46, May 8, 1877, from this office:—

The transportation, by the Quartermaster's Department, of persons to the Soldiers' Home is forbidden, unless it is ordered by the Secretary of War on the application of the Board of Commissioners of the Soldiers' Home.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, June 12, 1877.

[Circular.]

The following letter from the Secretary of the Treasury to the Secretary of War is published for the information of those concerned:—

TREASURY DEPARTMENT,
June 5, 1877.

HON. GEORGE W. MCCRARY,
Secretary of War.

SIR: I have the honor to inform you that the amount of U. S. bonds now held by the Treasurer of the United States to secure public deposits in the Third National Bank at Springfield, Mass., now stands at $220,000—a decrease of $32,000.

Very respectfully,
(Signed) JOHN SHERMAN,
Secretary.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS
No. 55.

HEADQUARTERS OF THE ARMY,
ADJUTANT GENERAL'S OFFICE,
Washington, June 16, 1877.

The Secretary of War directs that the following order be published to the Army:—

The issue and use of volatile oils "for illuminating purposes at military posts" being prohibited by Paragraph II, General Orders No. 17, February 8, 1870, from this office, the practice of purchasing such oils from company and post funds will be at once discontinued as contrary to the provisions of said order, which was designed to guard against the danger of fires at posts arising from the use of volatile oils.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

HEADQUARTERS OF THE ARMY,
ADJUTANT GENERAL'S OFFICE,
Washington, June 18, 1877.

[Circular.]

Casualties among the Commissioned Officers of the U. S. Army reported to the Adjutant General's Office during the week ending Saturday, June 16, 1877.

2d Lieutenant *Elbert Wheeler*, 1st Artillery—Resigned June 12, 1877.

2d Lieutenant *Samuel K. Thompson*, 25th Infantry—Dismissed June 4, 1877.

THOMAS M. VINCENT,
Assistant Adjutant General.

OFFICIAL:

Assistant Adjutant General.

[NOTE—No Circular was issued for the week ending June 9, 1877.]

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 56. } ADJUTANT GENERAL'S OFFICE,
Washington, June 20, 1877.

The Secretary of War directs that the following orders be published to the Army:—

I...From July 1, 1877, there will be allowed, yearly, to Ordnance Sergeants on duty at posts not garrisoned by troops, stationery as follows, to be drawn quarterly, except certain articles indicated, which will be drawn at commencement of issue:

2 quires writing paper, letter size.
4 sheets blotting paper.
100 envelopes, official size.
1 dozen steel pens.
2 pen-holders.
1 bottle black ink, pint.
1 small bottle mucilage and brush.
1 inkstand.
1 piece office tape.

} To be drawn at commencement of issue.

II...Stationery for the use of officers of the Ordnance Department when on duty at Department and Division Headquarters, or serving with troops, will be supplied by the Quartermaster's Department.

BY COMMAND OF GENERAL SHERMAN:

THOMAS M. VINCENT,
Assistant Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 57. } ADJUTANT GENERAL'S OFFICE,
Washington, June 22, 1877.

By direction of the Secretary of War, the following opinion of the Attorney General, respecting the right of retired officers of the Army to hold civil offices under the United States Government, is published for the information of all concerned:—

DEPARTMENT OF JUSTICE,
WASHINGTON, *June* 11, 1877.

HON. GEORGE W. MCCRARY,
Secretary of War.

SIR: In answer to your communication of the 4th instant, making certain inquiries as to retired officers and their relation to civil offices under the United States Government and the salaries thereof, I have the honor to say:

A retired officer does not, in my opinion, vacate his commission in the Army by accepting a civil office under the Government, unless that office is by appointment in the diplomatic or consular service of the Government, in which case he is to be considered as having resigned his place in the Army.

Section 1222 of the Revised Statutes is to be applied to officers upon the active list of the Army, who thereby are forbidden to hold any civil office, whether by election or appointment, and are declared to cease to be officers of the Army, and to vacate their commissions, by acceptance of such offices.

Section 1223 applies to all officers, whether upon the active or retired list of the Army, and must be deemed to exact that any officer, upon either list, accepting an appointment in the diplomatic or consular service, is to be treated as having resigned his place in the Army. To this section there is an exception made by the act of March 3, 1875, which provides that a certain class of officers therein described, who are "borne upon the retired list, shall be continued thereon notwithstanding the provisions of section two, chapter thirty-eight, act of March thirty, eighteen hundred and sixty-eight," which is embodied in section 1223 of the Revised Statutes. Of course, the officers therein described, even if accepting an appointment in the consular or diplomatic service, would not vacate their commissions.

Your second inquiry is whether a retired officer may hold a civil office under the United States Government.

The provisions of the statutes in regard to retired officers direct that they may be assigned to duty at the Soldiers' Home under certain circumstances, and that they shall not be assignable to any other duty (Rev. Stat., Sec. 1259). And, further, that they may on their own applications be detailed to serve as professors in any college (Sec. 1260). It would not, in my opinion, be a legitimate construction of these two sections to say that they prohibit an officer from accepting or being appointed to a purely civil office under the United States Government. In the absence of any provision of law forbidding such officers to hold civil offices—especially when these sections are taken in connection with the law that officers upon the active list are (by section 1222 of the Revised Statutes) held to have vacated their commissions by the acceptance of any civil office, and that all officers who accept or hold appointments in the diplomatic or consular service are (by section 1223) considered as having resigned their places in the Army, with the exception above alluded to—it must be considered that a retired officer is not precluded from holding a civil office under the United States Government, unless in the consular or diplomatic service.

The third question proposed by you is whether a retired officer is entitled to draw his pay as such, and also the salary of any civil office he may hold under the United States Government.

Sections 1763, 1764, and 1765 of the Revised Statutes forbid any person who holds an office, the salary or annual compensation of which amounts to the sum of $2,500, to receive compensation for discharging the duties of any other office, unless expressly authorized by law; also direct that no allowance or compensation shall be allowed to any officer or clerk by reason of the discharge of duties which belong to any other officer or clerk in the same or any other Department, and that no officer in any branch of the public service, or any other person whose salary, pay, or emoluments are fixed by law or regulations, shall receive any additional pay, extra allowance, or compensation in any form whatever, for the disbursement of public money, or for any other service or duty whatever, unless the same is authorized by law, and the appropriation therefor explicitly states that it is for such additional pay, extra allowance, or compensation.

The construction which has been given to these statutes (especially in the case of Converse *v.* The United States, 21 How., 463) is that the intent and effect of them is to forbid to officers holding one office to receive compensation for the discharge of duties belonging to another, or additional pay, extra allowance, or compensation, for such other services or duties, where they hold the commission of but a single office, and, by virtue of that office, or in addition to the duties of that office, have assigned to them the duties of another office. According to that decision, however, if an officer holds two distinct commissions, and thus two distinct offices, he may receive the salary for each. The evil intended to be guarded against by these statutes was not so much plurality of offices as it was additional pay or compensation to an officer holding but one office for performing additional duties, or the duties properly belonging to another. If he actually holds two commissions and does the duties of two distinct officers, he may receive the salary which has been appropriated to each office. Sections 1763, 1764, and 1765, above referred to, are condensations from statutes which were in existence at the time that this decision was made, and in conformity with it I deem it my duty, in answer to your inquiry, to say that a retired officer may draw his pay as such, and may also draw the salary of any civil office which he may hold under the Government, assuming, always, that the duties of the civil office are performed under and by virtue of a commission appointing him to that office, which he holds in addition to his rank as a retired officer.

Very respectfully, your obedient servant,

CHAS. DEVENS,
Attorney General.

BY COMMAND OF GENERAL SHERMAN:

THOMAS M. VINCENT,
Assistant Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 58. } ADJUTANT GENERAL'S OFFICE,
Washington, June 23, 1877.

By direction of the Secretary of War the following regulations are established for the government of all concerned:—

I...Subsistence stores may be sold to an officer, on credit, on his receipt for the articles and certificate that the stores are required for the use of himself and his family, and that he has an unincumbered amount of pay due him sufficient to cover the cost of the articles enumerated. (Form No. 46.)

II..."Abstracts of sales to officers on credit" (Form No. 49) will be made up in duplicate—one to accompany the return of provisions to the Commissary General of Subsistence, and the other to be filed with the retained copy of the same return. A "Statement of dues to the Subsistence Department from officers for Subsistence stores sold to them on credit" (Form No. 48) will be made up in duplicate—one copy to be attached to the copy of the "Abstract of sales to officers on credit" which accompanies the return of provisions to the Commissary General of Subsistence, and the other copy to be attached to the retained copy of the same abstract.

III...Every officer purchasing Subsistence stores on credit shall, at the end of the month in which the purchase is made (or earlier if the selling officer ceases to perform Subsistence duty, or the purchasing officer leaves the post or station), be furnished by the Commissary with a certified bill (Form No. 47), showing the articles and quantities, the prices, and the total money-value of the stores purchased.

IV...Every officer who purchases Subsistence stores on credit shall enter on his pay-account, for the month in which such purchases are made, the amount of his indebtedness therefor to the Subsistence Department, as shown by the certified bill or bills furnished him under the provisions of the preceding paragraph. The amount of each bill will be separately entered on the pay-account, thus: "Deduct ——— dollars and —— cents, the amount due the Subsistence Department for stores purchased on credit, at Fort ———, in the month of———, 187–, from — Lieut. A——— B———, —— Reg't of ———, A. A. C. S."

The total amount of such entries shall be withheld when the pay-account is paid upon and taken up by a Paymaster.

V...Any officer purchasing Subsistence stores on credit who shall fail to enter the amount of his indebtedness on his pay-account, as herein directed, shall be reported to the Secretary of War, who, if not satisfied with the explanation given, will cause the officer so failing to be brought before a Court-Martial, under the first section of the act approved March 2, 1863 (60th Article of War).

VI...Subsistence stores may be sold to enlisted men on credit for their own use, on written permits (Form No. 50) signed by their respective company commanders, and approved by the commanding officer of the post or station; but such permits shall not be given to any enlisted man in excess of the amount of unincumbered pay then due him, nor in any month in excess of the amount of his monthly pay. The permits will, as a rule, be made up monthly, and for all of the enlisted men of a company who desire to purchase stores on credit. Post commanders will designate a special time for the enlisted men of each company to receive their stores, and establish such other rules as they may deem necessary to economize labor and secure accuracy in delivering the stores and making up the abstracts, statements, &c., accounting therefor.

VII..."Abstracts of sales to enlisted men on credit" (Form No. 53) will be made up in duplicate—one copy to accompany the return of provisions to the Commissary General of Subsistence, and the other to be filed with the retained copy of the same return. A "Statement of dues to the Subsistence Department from enlisted men for Subsistence stores sold to them on credit" (Form No. 51) will be made up in triplicate, at the end of each month (or earlier if the officer ceases to perform Subsistence duty, or the company leaves the post or station), for each company to the enlisted men of which sales on credit have been made—one copy to be filed with the "Abstract of statements of dues to the Subsistence Department from enlisted men for stores sold to them on credit" (Form No. 52); one copy to be filed with the retained copy of the same abstract, and the third copy to be delivered by the Commissary to the commander of the company, who shall file it with the company records. The officer commanding the company at the period of the next ister will be held responsible that each enlisted man shall be

charged on the muster and pay-rolls with the value of the stores reported on the statement furnished by the Commissary; *and if it happen that such rolls are not paid upon, the charges shall be continued on succeeding regular muster and pay-rolls till the same are paid upon and taken up by a Paymaster.*

VIII...All amounts withheld under the provisions of preceding paragraphs will be promptly transferred to the senior disbursing Commissary present, or at the Paymaster's station—the Paymaster giving the Commissary duplicate invoices (Form No. 54), and taking his receipt on each pay-account, or pay-roll, for the amount withheld thereon and transferred. The invoices shall set forth each pay-account (by name of officer and period) and pay-roll (by company, regiment, and muster period), and the amount collected thereon.

IX...The forms to be used in carrying into effect the provisions of this order are hereunto annexed.

By command of General Sherman:

THOMAS M. VINCENT,
Assistant Adjutant General.

Official:

Assistant Adjutant General.

Form No. 46.

Station.....

Date.....

To the A. A. C. S., Fort .....

SIR: Please sell to me on credit the following Subsistence stores, the cost thereof to be deducted from my pay-account for this month, viz:

I certify that the Subsistence stores above enumerated are required for the use of myself and my family, and that I have an unincumbered amount of pay due equal to the value of the stores enumerated.

....., *Reg't of* .....

Received at Fort ....., this ..... day of ....., 187..., from ..... Lieut. ....., ... Reg't of ....., A. A. C. S., the Subsistence stores above enumerated.

....., *Reg't of* .....

Form No. 47.

....., *Reg't of* .....,

To the Subsistence Department U. S. Army, on account of Subsistence stores purchased on credit, at Fort ....., *from* ..... *Lieut.* ....., ... *Reg't of* ....., *A. A. C. S.* DR.

DATE.		DOLLARS.	CENTS.
	Total - - - - - - - - - -		

I certify that the above bill is correct.

.....,

..... *Reg't of* ....., *A. A. C. S.*

NOTE.—Every officer who purchases Subsistence stores on credit shall enter on his pay-account for the month in which such purchase or purchases are made the amount or amounts due therefor to the Subsistence Department, as shown by the certified bill or bills furnished him by the Commissary or Commissaries from whom such purchase or purchases were made.

Form No. 48.

Statement of dues to the Subsistence Department from officers of the U. S. Army, for Subsistence stores sold to them on credit, at ....., in the month of ....., 187..., by ..... Lieut. ....., ... Regiment of ....., A. A. C. S.

Names.	Rank.	Regiment or Corps.	Amounts.	
			Dollars.	Cents.
Total - - - - - - - - - - - -				

I certify that the above statement is correct.
(Signed in duplicate.)

....., ...
..... *Lieut.*, ... *Reg't of* ....., *A. A. C. S.*

Note.—The "total" of this statement must agree with the "total" of the "abstract of sales to officers on credit."

Form No. 49.

Abstract of Subsistence stores sold to officers on credit, at ...., in the month of .....,
187..., *by ..... Lieut. .....,* ..... *Reg't of .....,* *A. A. C. S.*

Articles.	Quantities.	Prices.			Amounts.		Articles.	Quantities.	Prices.			Amounts.	
		Cents	Mills.	Per-	Dollars.	Cents			Cents	Mills.	Per-	Dollars.	Cents
							Am't bro't forward..						
Amount carried forward - - -							Total amount - - - - - -						

I certify that the above abstract is a correct statement of all sales of Subsistence stores made by me to officers on credit, at this post, in the month of ....., 187...

....,
..... *Reg't of .....,* *A. A. C. S.*

I certify that I have compared the above abstract with the officers' certified lists of purchases on credit for their own use and the use of their families, and find the abstract correct.

(Signed in duplicate.) ....,
..... *Reg't of .....,* *Comd'g Post.*

Note.—This abstract must be in duplicate—one copy to accompany the return of provisions to the Commissary General of Subsistence, and the other to be filed with the retained copy of the same return.

Form No. 50.

The under-mentioned enlisted men of Company ....., ... Regiment of ....., are permitted to purchase on credit from ..... Lieut. ....., ... Regiment of ....., A. A. C. S., at ....., the Subsistence stores set opposite their names, the cost to be charged against them, respectively, on the proper muster and pay-rolls of the company.

No.	NAMES. (In the order in which they appear on the muster and pay-rolls.)	RANK.	ARTICLES AND QUANTITIES.

Headquarters ....., ...,
....., 187.... ..... *Reg't of* ....., *Comd'g Company.*

Approved:

....., ...
..... *Reg't of* ....., *Comd'g Post.*

NOTE.—If any article is not delivered it will be erased by drawing a line through it.

Form No. 51.

Statement of dues to the Subsistence Department from enlisted men of Company ....., ... Regiment of ....., for Subsistence stores sold to them on credit, at ....., in the month of....., 187..., by ..... Lieut. ....., ... Regiment of ....., A. A. C. S.

No.	Names. (In the order in which they appear on the muster and pay-rolls.)	Rank.	Amounts.	
			Dollars.	Cents.
	Total - - - - - - - - - - - -			

I certify that the above statement is correct.

(Signed in triplicate.)

....., ... *Lieut.*, ... *Reg't of* ....., *A. A. C. S.*

Note.—One copy to be delivered to the company commander; one to accompany the return of provisions to the Commissary General of Subsistence, and the other to be filed with the retained copy of the same return.

Form No. 52.

Abstract of statements of dues to the Subsistence Department from enlisted men for Subsistence stores sold to them on credit, at ....., in the month of ....., 187..., by ..... Lieut. ....., ... Reg't of ....., A. A. C. S.

No. of Statement.	Organization. (Company or Battery.)	Regiment.	Amounts.	
			Dollars.	Cents.
	Total - - - - - - - - - - - -			

(Signed in duplicate.)

....., ... *Lieut.*, ... *Reg't of* ....., *A. A. C. S.*

NOTES.—One copy to be filed with the copy of the abstract of sales to enlisted men on credit, which accompanies the return of provisions to the Commissary General of Subsistence, and the other to be filed with the retained copy of the same abstract.

The "total" of this abstract must agree with the "total" of the abstract with which it is filed.

Form No. 53.

Abstract of Subsistence stores sold on credit to enlisted men, at ....., in the month of ....., 187..., *by ..... Lieut. ....., ... Reg't of ....., A. A. C. S.*

Articles.	Quantities.	Prices.			Amounts.		Articles.	Quantities.	Prices.			Amounts.	
		Cents	Mills.	Per-	Dollars.	Cents			Cents	Mills.	Per-	Dollars.	Cents
							Am't bro't forward..						
Amount carried forward - - -							Total amount - - - - -						

I certify that the above abstract is a correct statement of all sales of Subsistence stores made by me to enlisted men on credit, in the month of ....., 187....

....,
..... *Lieut.*, ... *Reg't of* ....., *A. A. C. S.*

I certify that I have compared the above abstract with the enlisted men's permits for purchases on credit, and find the abstract correct.

(Signed in duplicate.) ....,
..... *Reg't of* ....., *Comd'g Post.*

Notes.—Sales to enlisted men on credit will be made only on the written permits of their company or other proper commanders, approved by the commanding officer of the post or station.

This abstract must be in duplicate—one copy to accompany the return of provisions to the Commissary General of Subsistence, and the other to be filed with the retained copy of the same return.

Form No. 54.

Invoice of Subsistence funds transferred at ....., this ..... day of ....., 187..., by Major ....., Paymaster, U. S. A., to ..... Lieut. ....., ... Reg't of ....., A. A. C. S., at ....., being collections from officers and enlisted men for Subsistence stores sold on credit.

Pay-account, or Pay-roll.	Period.	Amount.		Kind of Funds.
		Dollars.	Cents.	
Amounting in all to ....dollars and .....cents.				

(Signed in duplicate.)

....., *Major and Paymaster, U. S. A.*

Notes.—The *total amount* of funds invoiced must be expressed *in words* as well as in figures.

The kind of funds invoiced should be stated, and if check be given, the number and description of check should appear on the invoice.

Invoices of Subsistence funds are made up in duplicate—one copy to accompany the receiving Commissary's account-current to the Commissary General of Subsistence, and the other to be filed with the retained copy of the same account-current.

GENERAL ORDERS
No. 59.

HEADQUARTERS OF THE ARMY,
ADJUTANT GENERAL'S OFFICE,
Washington, June 25, 1877.

The Secretary of War directs that the following orders be published to the Army:—

I...So much of General Orders No. 50, April 8, 1875, from this office, as prohibits the issue of a ration to civilians employed with the Army, whose compensation exceeds sixty dollars ($60) per month, is suspended until an appropriation for the payment of such civilians becomes available.

II...After the close of the present fiscal year, and until the 31st day of December, 1877, or such earlier date as an appropriation for subsistence of the Army may be available, enlisted men who shall become entitled to commutation of rations may be furnished with certified accounts therefor, endorsed as follows, by the officer whose duty it would be to pay them if funds were available for the purpose, viz:

"The within account is correct and due, but there are no funds available for the payment which depends on a future appropriation for the purpose."

Enlisted men continuously employed under circumstances entitling them to commutation of rations should be furnished, at the close of each month, with certified accounts endorsed as above prescribed.

BY COMMAND OF GENERAL SHERMAN:

THOMAS M. VINCENT,
Assistant Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 60. } ADJUTANT GENERAL'S OFFICE,
Washington, June 26, 1877.

The following orders have been received from the War Department:—

I...No appropriation having been made for telegraphing for the War Department, or its bureaus, for the fiscal year ending June 30, 1878, officers whose usual duty it has been to pay such accounts to the telegraphic companies are authorized to issue vouchers to the companies when services are rendered during the next fiscal year, the following certificate to be attached thereto:—

"The within account is believed to be correct, and would be paid by me if I had public funds available for that purpose.

"It is understood and agreed that this does not involve the United States in any contract or obligation for the future payment hereof, and the holders of these certificates shall have no claim against the Government, unless Congress shall make appropriation for their payment."

II...The following form of certificate may be issued by officers of the Army under whose direction General Service and other enlisted men of the Army are serving after June 30, 1877, in the bureaus of the War Department, at the Headquarters of the Army, in military offices in Washington, D. C., and at Military Division or Department Headquarters, on account of extra duty and commutation of fuel and quarters, viz:—

"....,

"...., ..., 18...

"I certify that .... has rendered service to the United States in the ..... as ..... at ....., from the ..... day of ....., 187..., to the ..... day of ....., 187..., both inclusive, and that the compensation which would have been paid, had funds been available therefor, would have been as follows:

	Dolls.	Cts.
"For extra-duty pay from ..... to ...., 187..., inclusive, ... days, at ..... per day -		
"For commutation of fuel from ..... to ....., 187..., ... month , at $..... per month - - - - - - - - -		
"For commutation of quarters from ..... to ....., 187..., ... month , at $..... per month - - - - - - - - -		
"Total - - - - - - -		

"I further certify that I accepted said services because they were necessary to the military service, that payment for the same depends upon the action of Congress of the United States, and that I have reported the services to the Quartermaster General, as required by existing orders and regulations.

"The holder of this certificate is to have no claim against the United States, unless Congress shall make an appropriation for his payment.

"..... .....,

[The rank and corps to which the officer belongs who employs the men to be inserted here.]

"....."

When appropriation to pay these certificates shall have been made by Congress and shall have become available, they will be taken up by the officer issuing them, and proper certified accounts made out, on which payment will be made, to the parties properly authorized to receive them.

The fact of issue, with date and amount of the certificate, will be reported on the roll of enlisted men employed on extra duty. (Form No. 3.)

By command of General Sherman:

THOMAS M. VINCENT,
Assistant Adjutant General.

Official:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 61. } ADJUTANT GENERAL'S OFFICE,
Washington, June 27, 1877.

I...By direction of the Secretary of War, the following-named Cadets, graduates of the Military Academy, are hereby appointed in the Army of the United States, with the rank of Second Lieutenant, to date from June 15, 1877:—

Corps of Engineers.

1. Cadet William M. Black, *vice* Palfrey, promoted.
2. Cadet Walter L. Fisk, *vice* Bixby, promoted.
3. Cadet Solomon W. Roessler, *vice* Taber, promoted.

First Regiment of Cavalry.

24. Cadet Jacob G. Galbraith, *vice* Shelton, promoted, (Company "F.")

Fourth Regiment of Cavalry.

25. Cadet Cunliffe H. Murray, *vice* Wood, promoted, (Company "L.")

32. Cadet Wilber E. Wilder, *vice* Otis, transferred to the Fourth Artillery, (Company "G.")

Fifth Regiment of Cavalry.

18. Cadet Fred. W. Foster, *vice* Michler, promoted, (Company "K.")

31. Cadet Henry J. Goldman, *vice* Keyes, dismissed, (Company "C.")

34. Cadet James S. Paddock, *vice* Davis, promoted, (Company "D.")

Sixth Regiment of Cavalry.

22. Cadet Augustus P. Blocksom, *vice* Henely, promoted, (Company "H.")

23. Cadet Charles B. Gatewood, *vice* Wetmore, resigned, (Company "D.")

Seventh Regiment of Cavalry.

36. Cadet James D. Mann, *vice* Edgerly, promoted, (Company "E.")

39. Cadet Thomas H. Barry, *vice* Wilkinson, promoted, (Company "B.")

Ninth Regiment of Cavalry.

40. Cadet John F. Guilfoyle, *vice* Conline, promoted, (Company "D.")

45. Cadet Harry T. Hammond, *vice* Taylor, promoted, (Company "A.")

49. Cadet Charles A. Bradley, *vice* Scott, transferred to the Seventh Cavalry, (Company "B.")

53. Cadet Robert T. Emmet, *vice* Hammond, transferred to the Third Cavalry, (Company "E.")

54. Cadet Ben. I. Butler, *vice* French, resigned, (Company "G.")

Tenth Regiment of Cavalry.

27. Cadet Calvin Esterly, *vice* McCormick, transferred to the Seventh Cavalry, (Company "L.")

43. Cadet Robert E. Safford, *vice* Russell, transferred to the Seventh Cavalry, (Company "C.")

46. Cadet John Bigelow, jr., *vice* Cummings, transferred to the Third Cavalry, (Company "B.")

50. Cadet Henry O. Flipper, *vice* Fuller, transferred to the Second Cavalry, (Company "A.")

56. Cadet Robert D. Read, jr., *vice* Sharpe, transferred to the Twenty-second Infantry, (Company "K.")

61. Cadet Millard F. Eggleston, *vice* Dunkelberger, declined. (Company "M.")

First Regiment of Artillery.

4. Cadet Thomas C. Patterson, *vice* Harris, promoted, (Battery "I.")

5. Cadet Albert Todd, *vice* Wheeler, resigned, (Battery "E.")

Fourth Regiment of Artillery.

6. Cadet William B. Gordon, *vice* Goddard, deceased, (Battery "A.")

7. Cadet Howard A. Springett, *vice* Paddock, promoted, (Battery "D.")

Fifth Regiment of Artillery.

8. Cadet William W. Galbraith, *vice* Morton, promoted, (Battery "I.")

9. Cadet Solon F. Massey, *vice* Duvall, promoted, (Battery "L.")

Fifth Regiment of Infantry.

33. Cadet Monroe P. Thorington, *vice* Whitten, resigned, (Company "I.")

Sixth Regiment of Infantry.

37. Cadet Robert R. Stevens, *vice* Ames, resigned, (Company "A.")

Eighth Regiment of Infantry.

10. Cadet John J. Haden, *vice* Roundy, dismissed, (Company "B.")

19. Cadet Theophilus Parker, *vice* McMinn, promoted, (Company "D.")

26. Cadet Richard H. Wilson, *vice* Baily, promoted, (Company "E.")

Tenth Regiment of Infantry.

20. Cadet Edward H. Plummer, *vice* Larke, promoted, (Company "C.")

Eleventh Regiment of Infantry.

30. Cadet John H. Philbrick, *vice* Boswell, promoted, (Company "I.")

Seventeenth Regiment of Infantry.

28. Cadet Edward Chynoweth, *vice* Ruhlen, promoted, (Company "I.")

Twenty-first Regiment of Infantry.

17. Cadet James C. Shofner, *vice* Fletcher, promoted, (Company "G.")

Twenty-second Regiment of Infantry.

21. Cadet Medad C. Martin, *vice* Ryan, resigned, (Company "G.")

Twenty-fourth Regiment of Infantry.

44. Cadet Charles J. Crane, *vice* Palmer, transferred to the Ninth Infantry, (Company "B.")

47. Cadet Ammon A. Augur, *vice* Lester, transferred to the Eighth Cavalry, (Company "C.")

51. Cadet John J. Brereton, *vice* Beacom, resigned, (Company "F.")

57. Cadet Samuel P. Wayman, *vice* Wessells, promoted, (Company "E.")

Twenty-fifth Regiment of Infantry.

55. Cadet John McMartin, *vice* Slocum, transferred to the Seventh Cavalry, (Company "F.")

58. Cadet Edwin F. Glenn, *vice* Thompson, dismissed, (Company "C.")

II...The following-named Cadets, graduates of the Military Academy, are hereby attached to the Army of the United States, with the rank of *Additional* Second Lieutenant, in conformity with section 4 of the act of April 29, 1812, and section 19, act of July 15, 1870, [1213, Revised Statutes,] to date from June 15, 1877:

Cavalry Arm.

35. Cadet Curtis B. Hoppin, to the First Cavalry.
41. Cadet William C. Brown, to the Second Cavalry.
48. Cadet George W. Baxter, to the Fifth Cavalry.
52. Cadet Oscar J. Brown, to the Third Cavalry.
62. Cadet William H. Baldwin, to the Fifth Cavalry.
64. Cadet Heber M. Creel, to the Eighth Cavalry.
66. Cadet Alexander M. Patch, to the Eighth Cavalry.
67. Cadet George K. Hunter, to the Fourth Cavalry.
69. Cadet Wallis O. Clark, to the Seventh Cavalry.
70. Cadet Matthias W. Day, to the Tenth Cavalry.
72. Cadet David N. McDonald, to the Fourth Cavalry.
76. Cadet F. Halverson French, to the Third Cavalry.

Artillery Arm.

11. Cadet Charles G. Woodward, to the Fourth Artillery.
12. Cadet Adam Slaker, to the Fifth Artillery.
13. Cadet John V. White, to the Fourth Artillery.
14. Cadet Frederick Marsh, to the Second Artillery.
15. Cadet David Price, jr., to the First Artillery.
16. Cadet Francis P. Blair, jr., to the Third Artillery.

Infantry Arm.

29. Cadet Francis J. Patten, to the Twenty-first Infantry.
38. Cadet Henry Kirby, to the Twelfth Infantry.
42. Cadet William T. Wood, to the Fourth Infantry.
59. Cadet Stephen C. Mills, to the Seventeenth Infantry.
60. Cadet George N. Chase, to the First Infantry.

63. Cadet John Baxter, jr., to the Nineteenth Infantry.
65. Cadet James B. Jackson, to the Fifth Infantry.
68. Cadet Daniel A. Frederick, to the Tenth Infantry.
71. Cadet Samuel H. Loder, to the Ninth Infantry.
73. Cadet James A. Maney, to the Sixteenth Infantry.
74. Cadet John F. C. Hegewald, to the Eleventh Infantry.
75. Cadet Ariosto McCrimmon, to the Sixth Infantry.

III...The General Regulations (paragraph 181) allow three months' leave of absence to the graduates of the Military Academy on entering service. In accordance with this regulation all the graduates above named are granted leave of absence until the *30th of September next.* At the expiration of their leaves of absence they will report, by letter, to the Adjutant General, and await further orders.

IV...The graduates will, on receipt of this order, immediately report by letter to the commanding officer of their respective regiments, who will assign to companies and batteries those who have not been so assigned by this order. If the station of the regimental commander be not known their reports will be forwarded under cover to the Adjutant General for transmittal.

V...The transportation allowance (mileage) to which the graduates will be entitled in traveling from their homes to their posts, under the foregoing orders, will be paid in advance of the performance of the journeys.

VI...The graduates who have been assigned to regiments as Additional 2d Lieutenants, will be promoted, in order of seniority, to vacancies as they occur in the *arms of the service* to which they have respectively been attached.

By command of General Sherman:

THOMAS M. VINCENT,
Assistant Adjutant General.

Official:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 62. } ADJUTANT GENERAL'S OFFICE,
Washington, July 3, 1877.

In order to facilitate the prosecution of the topographical surveys in the Western Military Geographical Divisions and Departments—including reconnoissances of routes, the astronomical determination of the positions of military posts and other places, and the drafting of maps—and holding in view uniformity of action and a systematic plan, the following orders, received from the Secretary of War, are published for the government of all concerned:—

I...The general plan of exploration and survey will be determined by the Chief of Engineers, and executed by the Division and Department Engineer officers, under the direction of the Generals commanding Divisions and Departments.

II...In addition to the General Service men authorized for Military Divisions and Departments by General Orders No. 92, Adjutant General's Office, series of 1868, restricted by General Orders No. 30, Adjutant General's Office, series of 1869, there will be allowed, for each of the headquarters herein contemplated, two General Service men, to serve as topographical assistants, who will act under the orders of the Chief Engineer Officer at the Headquarters, and who will not be relieved except by authority of the Secretary of War, through the General of the Army. The enlistments, for the purpose indicated, will be made, by the respective Engineer officers, from persons of unexceptionable habits, who are skilled in topographical work both in field and office. For the purpose of pay the topographical assistants will be rated as *clerks*, and will receive the extra pay of thirty-five cents per day, and commutation allowances accordingly.

III...The results of these surveys will be promptly transmitted to the Chief of Engineers, and also incorporated into the general maps of Divisions and Departments to be kept in the offices of the Division and Department Engineers.

IV...The topographical assistants shall be kept constantly employed on topographical work in field and office, and shall be used for no other purpose.

V...When the appropriations under the control of the War Department, through the Chief of Engineers, warrant extended operations, surveying parties will be furnished, by the Department commanders concerned, with such escorts as the latter may deem proper.

The Quartermaster's Department will furnish transportation for civilian employés, escorts, material, instruments, collections, subsistence, and other supplies, and will supply forage, clothing, camp and garrison equipage, and pay the necessary guides, packers, herders, laborers, blacksmiths, teamsters, &c., upon proper requisition. Actual traveling expenses will be furnished to such civilian assistants as may be designated by the Engineer officer.

The Commissary Department will furnish the necessary commissary stores, upon proper requisitions, in accordance with General Orders No. 50, of 1875.

The Ordnance Department will furnish, upon proper requisition, such ordnance and ordnance stores as may be required.

The Medical Department will furnish the necessary medical attendance and supplies.

Authority is granted for the sale, at cost price, to assistants and employés, for their personal use while in the field, of necessary stores from the supply departments of the Army.

The topographical assistants on duty with Geographical Surveys, whose services are required in the field, will, while so engaged, receive the same pay and allowances as when at headquarters.

The stations of the Engineer officers during the season of field operations are hereby fixed at their respective Division or Department Headquarters.

By command of General Sherman:

THOMAS M. VINCENT,
Assistant Adjutant General.

Official:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 63. } ADJUTANT GENERAL'S OFFICE,
Washington, July 5, 1877.

The 2d Regiment of Infantry is hereby transferred from the Department of the South to the Division of the Pacific, and will proceed to Ogden City, Utah, reporting, in advance, to the Commanding General Division of the Pacific for service in the Department of the Columbia.

BY COMMAND OF GENERAL SHERMAN:

THOMAS M. VINCENT,
Assistant Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 64. } ADJUTANT GENERAL'S OFFICE,
Washington, July 6, 1877.

The following promotions and appointments in the Army of the United States, made by the President since the publication of General Orders No. 32, of April 2, 1877, and up to July 2, 1877, are announced:—

I...PROMOTIONS.

MEDICAL DEPARTMENT.

Lieutenant Colonel William J. Sloan, Surgeon, to be Surgeon, with the rank of Colonel, April 28, 1877, *vice* McCormick, deceased.

Major Glover Perin, Surgeon, to be Surgeon, with the rank of Lieutenant Colonel, April 28, 1877, *vice* Sloan, promoted to Colonel.

Captain David L. Huntington, Assistant Surgeon, to be Surgeon, with the rank of Major, April 28, 1877, *vice* Perin, promoted to Lieutenant Colonel.

SECOND REGIMENT OF CAVALRY.

Captain David S. Gordon, to be Major, June 25, 1877, *vice* Sweitzer, promoted to the Eighth Cavalry.

First Lieutenant Thomas J. Gregg, to be Captain, June 25, 1877, *vice* Gordon, promoted. (Company "D.")

Second Lieutenant John H. Coale, to be First Lieutenant, June 25, 1877, *vice* Gregg, promoted. (Company "C.")

THIRD REGIMENT OF CAVALRY.

Lieutenant Colonel Thomas C. Devin, of the Eighth Cavalry, to be Colonel, June 25, 1877, *vice* Reynolds, retired from active service.

FIFTH REGIMENT OF CAVALRY.

First Lieutenant John B. Babcock, to be Captain, May 9, 1877, *vice* Leib, dismissed. (Company "M.")

Second Lieutenant George B. Davis, to be First Lieutenant, May 9, 1877, *vice* Babcock, promoted. (Company "C.")

EIGHTH REGIMENT OF CAVALRY.

Major Nelson B. Sweitzer, of the Second Cavalry, to be Lieutenant Colonel, June 25, 1877, *vice* Devin, promoted to the Third Cavalry.

SECOND REGIMENT OF ARTILLERY.

Major Harvey A. Allen, to be Lieutenant Colonel, July 2, 1877. *vice* French, promoted to the Fourth Artillery.

Captain James McMillan, of the Third Artillery, to be Major, July 2, 1877, *vice* Allen, promoted.

THIRD REGIMENT OF ARTILLERY.

First Lieutenant John L. Tiernon, to be Captain, July 2, 1877, *vice* McMillan, promoted to the Second Artillery. (Battery "B.")

Second Lieutenant Charles Sellmer, to be First Lieutenant, July 2, 1877, *vice* Tiernon, promoted. (Battery "B.")

FOURTH REGIMENT OF ARTILLERY.

Lieutenant Colonel William H. French, of the Second Artillery, to be Colonel, July 2, 1877, *vice* Roberts, retired from active service.

Second Lieutenant George H. Paddock, to be First Lieutenant, April 19, 1877, *vice* Knapp, deceased. (Battery "G.")

FIFTH REGIMENT OF ARTILLERY.

Second Lieutenant William P. Duvall, to be First Lieutenant, April 9, 1877, *vice* Denison, resigned. (Battery "M.")

EIGHTH REGIMENT OF INFANTRY.

First Lieutenant Egbert B. Savage, to be Captain, May 30, 1877, *vice* Ogilby, deceased. (Company "E.")

Second Lieutenant William H. McMinn, to be First Lieutenant, May 17, 1877, *vice* Whitney, appointed Regimental Quartermaster. (Company "K.")

Second Lieutenant Charles M. Baily, to be First Lieutenant, May 30, 1877, *vice* Savage, promoted. (Company "F.")

NINTH REGIMENT OF INFANTRY.

Second Lieutenant William H. Miller, to be First Lieutenant, July 1, 1877, *vice* Griffith, resigned. (Company "A.")

TENTH REGIMENT OF INFANTRY.

Second Lieutenant Alured Larke, to be First Lieutenant, April 25, 1877, *vice* Jewett, resigned. (Company "F.")

TWELFTH REGIMENT OF INFANTRY.

Second Lieutenant Harry L. Haskell, to be First Lieutenant, June 30, 1877, *vice* Fleming, dismissed. (Company "F.")

EIGHTEENTH REGIMENT OF INFANTRY.

First Lieutenant Cass Durham, to be Captain, June 30, 1877, *vice* Ogden, dismissed. (Company "B.")

Second Lieutenant Frank H. Barnhart, to be First Lieutenant, June 30, 1877, *vice* Durham, promoted. (Company "E.")

TWENTIETH REGIMENT OF INFANTRY.

Second Lieutenant William H. Low, jr., to be First Lieutenant, April 7, 1877, *vice* Morris, deceased. (Company "E.")

TWENTY-FIRST REGIMENT OF INFANTRY.

First Lieutenant William H. Boyle, to be Captain, April 23, 1877, *vice* Smith, deceased. (Company "G.")

Second Lieutenant Robert H. Fletcher, to be First Lieutenant, April 23, 1877, *vice* Boyle, promoted. (Company "C.")

Second Lieutenant Daniel Cornman, to be First Lieutenant, June 17, 1877, *vice* Theller, killed in action with Indians. (Company "G.")

TWENTY-THIRD REGIMENT OF INFANTRY.

Second Lieutenant Orlando L. Wieting, to be First Lieutenant, April 25, 1877, *vice* Taylor, dismissed. (Company "H.")

TWENTY-FOURTH REGIMENT OF INFANTRY.

Second Lieutenant Morris C. Wessells, to be First Lieutenant, May 15, 1877, *vice* Custer, appointed Regimental Quartermaster. (Company "F.")

II...APPOINTMENTS.

TENTH REGIMENT OF INFANTRY.

Thomas J. Clay, of Kentucky, to be Second Lieutenant, April 25, 1877, *vice* Jouett, transferred to the Tenth Cavalry. (Company "B.")

TWENTIETH REGIMENT OF INFANTRY.

Erastus W. Maxwell, of Massachusetts, to be Second Lieutenant, June 13, 1877, *vice* Low, promoted. (Company "C.")

TWENTY-SECOND REGIMENT OF INFANTRY.

Sergeant Theodore Mosher, jr., of the Signal Service, to be Second Lieutenant, April 19, 1877, *vice* Davies, promoted. (Company "C.")

TWENTY-THIRD REGIMENT OF INFANTRY.

William A. Nichols, of Kansas, to be Second Lieutenant, May 7, 1877, *vice* Pardee, promoted. (Company "H.")

Stephen O'Connor, late First Lieutenant, to be Second Lieutenant, June 9, 1877, *vice* Wieting, promoted. (Company "K.")

RE-APPOINTMENT.

Under an act of Congress approved March 3, 1877.

Thomas J. Spencer, of Michigan, late First Lieutenant, Tenth Cavalry, to be First Lieutenant, Tenth Cavalry, May 3, 1877, with his former rank and relative grade in the Army, from June 1, 1867, and without pay or allowances for the time he was out of the military service.

III...TRANSFERS.

Major Henry R. Mizner, from the Twelfth Infantry to the Eighth Infantry, May 14, 1877.

Major Thomas S. Dunn, from the Eighth Infantry to the Twelfth Infantry, May 14, 1877.

IV...RETIRED.

For incapacity resulting from long and faithful service, from wounds or injury received, from disease contracted, or from exposure in the line of duty, in conformity with sections 16 *and* 17, *act of August* 3, 1861. [*Section* 1251, *Revised Statutes.*]

Colonel Joseph J. Reynolds, Third Cavalry, June 25, 1877.

By direction of the President, in conformity with section 12, *act of July* 17, 1862. [*Section* 1244, *Revised Statutes.*]

Colonel Joseph Roberts, Fourth Artillery, July 2, 1877.

V...CASUALTIES.

RESIGNED. (6.)

First Lieutenant David S. Denison, Fifth Artillery, April 9, 1877.

First Lieutenant George R. Griffith, Ninth Infantry, July 1, 1877.

First Lieutenant Charles E. Jewett, Tenth Infantry, April 25, 1877.

Second Lieutenant Elbert Wheeler, First Artillery, June 12, 1877.

Second Lieutenant James H. Whitten, Fifth Infantry, May 31, 1877.

Second Lieutenant Edward R. Ames, Sixth Infantry, April 20, 1877.

DIED. (11.)

Colonel Charles McCormick, Surgeon, at New York City, April 28, 1877.

Major James R. Mears, U. S. Army, (retired,) at Madison, Wisconsin, April 26, 1877.

Major Daniel Chase, U. S. Army, (retired,) at Toledo, Ohio, June 24, 1877.

Captain Frederick D. Ogilby, Eighth Infantry, at Camp Apache, Arizona Territory, May 30, 1877.

Captain Harry M. Smith, Twenty-first Infantry, at Fort Lapwai, Idaho Territory, April 23, 1877.

First Lieutenant William C. C. Andrews, Assistant Surgeon, drowned, April 19, 1877, in Young's Bay, near Astoria, Oregon.

First Lieutenant Joshua L. Knapp, Fourth Artillery, drowned, April 19, 1877, in Young's Bay, near Astoria, Oregon.

First Lieutenant Bishop Aldrich, Eighth Infantry, at Fort Whipple, Arizona Territory, May 16, 1877.

First Lieutenant Louis M. Morris, Twentieth Infantry, at Lower Brule Agency, Dakota Territory, April 7, 1877.

First Lieutenant Edward R. Theller, Twenty-first Infantry, killed, June 17, 1877, in action with Indians, near the mouth of White Bird Creek, Idaho Territory.

Second Lieutenant Henry B. Chamberlain, Tenth Infantry, at Fairfield, Connecticut, June 20, 1877.

DISMISSED. (7.)

Captain Edward H. Leib, Fifth Cavalry, May 9, 1877.

Captain Morgan L. Ogden, Eighteenth Infantry, June 30, 1877.

First Lieutenant William W. Fleming, Twelfth Infantry, June 30, 1877.

First Lieutenant George McM. Taylor, Twenty-third Infantry, April 25, 1877.

Second Lieutenant Edward L. Keyes, Fifth Cavalry, April 28, 1877.

Second Lieutenant Satterlee C. Plummer, Fourth Infantry, July 1, 1877.

Second Lieutenant Samuel K. Thompson, Twenty-fifth Infantry, June 4, 1877.

CASHIERED. (1.)

Second Lieutenant William C. Roundy, Eighth Infantry, May 2, 1877.

VI...Officers have been arranged in the foregoing order to the companies and batteries to which they have succeeded in the natural course of promotion or appointment, or to which they have been assigned by competent authority.

VII...Acceptance or non-acceptance of appointment, and, in case of acceptance, the birth-place of the officer appointed, his age and residence when appointed, and his full name, correctly written, will, in all cases, be promptly reported to the Adjutant General.

VIII...In case of the death of an officer, it is hereby made the duty of his immediate commanding officer to report the fact at once, direct to this office, stating the cause, date, and place.

When an officer away from his command dies in hospital or under treatment, the medical officer in charge will forward the report as above required; if not under treatment by an Army medical officer, the report will be made by any officer having cognizance of the fact.

BY COMMAND OF GENERAL SHERMAN:

THOMAS M. VINCENT,
Assistant Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 65. } ADJUTANT GENERAL'S OFFICE,
Washington, July 7, 1877.

By direction of the Secretary of War, the following order of the Postmaster General, fixing the rates of charges for telegraphic communications, is published for the information of the Army:—

RATES OF PAY FOR COMMUNICATIONS BY TELEGRAPH, 1877-78.

POST OFFICE DEPARTMENT, *June* 30, 1877.

WHEREAS, by the act of Congress approved July twenty-fourth, A. D. eighteen hundred and sixty-six, entitled "An Act to aid in the construction of telegraph lines, and to secure to the Government the use of the same for postal, military, and other purposes," in section second it is enacted: that telegraphic communications between the several Departments of the Government of the United States and their officers and agents shall, in their transmission over the lines of said companies, have priority over all other business, and shall be sent at rates to be annually fixed by the Postmaster General:

Now, therefore, in pursuance and by virtue of the authority on me by said act conferred, I, DAVID M. KEY, Postmaster General of the United States, do hereby fix the rates at which the telegraphic communications aforesaid shall be sent for the year commencing on the first day of July, A. D. eighteen hundred and seventy-seven, as follows, namely:

The rate for all telegraphic communications, sent otherwise than over circuits established by the Chief Signal Officer of the Army for the transmission of enciphered weather reports, shall be as follows, viz:

One cent per word for each circuit*—not exceeding five over the wires of any one company—through which it shall be transmitted, said rate to be computed subject to the following conditions, viz:

A distance of five hundred miles, as computed by the tables of the Post Office Department, shall be deemed a circuit.

If, in computing circuits, there shall be found one or more circuits and a fraction of a circuit, such fraction shall be deemed a circuit.

If a communication shall be sent a distance less than five hundred miles, that distance shall be deemed a circuit.

When any communication is transmitted necessarily over the lines of two or more telegraph companies, the whole distance traversed by such communication will be used in computing the number of circuits, and each company shall receive a *pro rata* allowance of the compensation paid for such communication; but no company shall receive less than the allowance for one full circuit.

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*The word "circuit," as here used, means not a telegraphic circuit, but a unit of distance of five hundred miles.

All words of the communication transmitted are to be counted, excepting the date and place at which such communication is filed.

All messages of less than twenty-five words, address and signature included, shall be rated as if containing twenty-five words, and all messages exceeding twenty-five words shall be rated by the exact number of words they contain, address and signature included.

The rate for all telegraphic communications known as the Signal Service weather reports shall not exceed three cents for each word of said reports for each circuit over which they may pass, in accordance with the schedule of circuits and plans of the Chief Signal Officer of the Army, which are now or may hereafter be adopted by him for transmitting these reports, or such parts thereof as he may designate, in such words or ciphers as may, from time to time, be directed by him. The amount thus estimated is to be taken in full payment for said reports; no additional allowance to be made for drops, office messages, or other services or special facilities required by the Chief Signal Officer for the correct and prompt transmission of said Signal Service reports.

If, at any time, from competition or other cause, telegraph rates should be reduced so that a message of ten words may be sent for the public at a less rate than that above mentioned for a twenty-five-word message, then, and in that case, this order shall be changed to meet such lower public rate; it being intended by this proviso that in no case shall the Government be compelled to pay more for a twenty-five-word message, including address and signature, than the public is required to pay for a ten-word message, exclusive of such address and signature.

DAVID M. KEY,
Postmaster General.

BY COMMAND OF GENERAL SHERMAN:

THOMAS M. VINCENT,
Assistant Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 66. } ADJUTANT GENERAL'S OFFICE,
Washington, July 14, 1877.

By direction of the Secretary of War, the following orders are promulgated for the government of all concerned:—

WAR DEPARTMENT,
Washington, D. C., July 14, 1877.

In order to remove all doubts as to the proper channels for military correspondence between the Secretary of War and the Chiefs of Staff Corps, Departments, and Bureaus, it is hereby ordered as follows:

I...The several Chiefs of Staff Corps, Departments, and Bureaus will submit directly to the Secretary of War all communications requiring his action or that of the President, except such as relate to subjects requiring information from, or to be of record in, the Adjutant General's Office, which latter will be addressed to the Adjutant General, and be by him submitted to the Secretary of War, with the remarks of the General of the Army thereon.

II...The following classes of communications must, under this order, be submitted through the Adjutant General:

1. All communications concerning appointments, promotions, and commissions of officers of the Army.

2. All communications concerning details for Boards, when composed of officers from more than one Staff Corps or Department, or when the subjects to be acted upon relate to the affairs of different Staff Corps or Departments, or other portions of the Army. All orders for such details, when authorized by the General of the Army or Secretary of War, must issue from the Adjutant General's Office, and the authority be stated therein, and reports of proceedings of such Boards must be transmitted through the same channel. When, however, the business upon which a Board is assembled lies solely within the sphere of duties of a Staff Corps or Department, requiring as its members exclusively officers of such Corps or Department, the details therefor may be made by the head of each Staff Corps or Department, respectively.

3. All communications concerning applications for leaves of absence for officers of Engineers, Ordnance, or of the General Staff, or serving on it, (Aides-de-Camp excepted,) for more than thirty days. (See Paragraph 177, Revised Regulations.)

4. All communications relating to assignments to duty and changes in stations of officers of the Staff Corps or Departments, including all applications and recommendations concerning the same: *Provided*, That the Chiefs of the several Staff Corps and Departments,

within the sphere of duties assigned to them by law, regulations, and orders, are authorized to issue to their own subordinates, when under their immediate command, such orders, as to journeys and duty upon business peculiar to their own Corps and Department, as may not involve absence of these subordinates from their proper stations for more than thirty days—copies of the orders to be duly forwarded to the Adjutant General.

5. *Projets* of all General or Special Orders, relating to the affairs of the Army generally, or which should be promulgated to any considerable portion thereof, must be forwarded through the Adjutant General, for the consideration of the General of the Army and the orders of the Secretary of War.

6. Generally all correspondence concerning subjects relating to or involving the *personnel* of the Army.

III...Heads of Staff Bureaus or Corps may, by direct intercourse, acquaint the Secretary with their views touching matters for the management of which they are responsible to him, whether such matters require to be formally presented through the Adjutant General or not.

IV...Communications received by the Adjutant General from any part of the Army, through the regular channels, and requiring consideration or remarks by another Department or Bureau, will be at once referred by him, without remark, to the Chief of that Department or Bureau. The form of such reference shall be as follows: "Respectfully referred to the Chief of Ordnance," (or other officer, as the case may be,) and signed by the Adjutant General. The officer to whom such communication is referred will promptly endorse thereon such remarks as he may deem proper, and forward it to the Secretary of War direct, or return it to the Adjutant General, as may be required by the foregoing orders.

GEO. W. MCCRARY,
Secretary of War.

BY COMMAND OF GENERAL SHERMAN:

THOMAS M. VINCENT,
Assistant Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 67. } ADJUTANT GENERAL'S OFFICE,
Washington, July 17, 1877.

The following orders have been received from the Secretary of War:—

In the case of Acting Assistant Surgeons heretofore serving under contract, whose services are deemed indispensable, whose contracts were annulled July 1st, instant, and who have been retained by voluntary agreement under the authority and conditions of General Orders No. 50, Headquarters of the Army, Adjutant General's Office, current series, the respective commanding officers will certify on the usual pay-vouchers as required by the last paragraph of the said General Orders.

Upon the receipt of the vouchers so certified, the officers of the Pay Department, designated by General Orders No. 51, Headquarters of the Army, Adjutant General's Office, current series, are authorized and directed to endorse as contemplated by said order in the case of commissioned officers of the Army.

In signing his accounts for presentation to the commanding officer, the physician is authorized to add: "employed on duty as Acting Assistant Surgeon."

Their vouchers for authorized allowances will, in a similar manner, be signed, and disposed of by the proper officer as contemplated by arrangements relating to such allowances for commissioned officers.

The foregoing is in connection with the *status* of Acting Assistant Surgeons, as defined and established by General Orders No. 100, Adjutant General's Office, series of 1875.

BY COMMAND OF GENERAL SHERMAN:

THOMAS M. VINCENT,
Assistant Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 68. } ADJUTANT GENERAL'S OFFICE,
Washington, July 18, 1877.

The following orders have been received from the War Department:—

I...The military cemetery at Antietam, Maryland, is announced as a National Cemetery of the *first* class.

II...The National Cemetery at Alexandria, Virginia, is announced as of the *second* class, from August 1, 1877, instead of *third* class, as announced in General Orders No. 82, August 12, 1876, from this office.

BY COMMAND OF GENERAL SHERMAN:

THOMAS M. VINCENT,
Assistant Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS
No. 69.

HEADQUARTERS OF THE ARMY,
ADJUTANT GENERAL'S OFFICE,
Washington, July 21, 1877.

The following orders have been received from the Secretary of War:—

The vouchers of Acting Assistant Surgeons retained in service after June 30, 1877, under authority of General Orders No. 50, may be endorsed by Paymasters as follows:

"The services within named were rendered as stated; the rates named are reasonable, according to custom, and the same fixed by contract prior to July 1st, 1877. There is no appropriation for its payment."

General Orders No. 67, Headquarters of the Army, current series, is modified accordingly.

BY COMMAND OF GENERAL SHERMAN:

THOMAS M. VINCENT,
Assistant Adjutant General.

OFFICIAL:

Assistant Adjutant General.

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, July 21, 1877.

[Circular.]

The following letters from the Acting Secretary of the Treasury to the Secretary of War are published for the information of those concerned:—

TREASURY DEPARTMENT,
July 12th, 1877.

HON. GEORGE W. MCCRARY,
Secretary of War.

SIR: I have the honor to inform you that the amount of U. S. bonds held in trust by the Treasurer of the United States to secure public deposits in the Merchants' National Bank of Portland, Maine, now stands at $50,000—a decrease of $50,000.

Very respectfully,
(Signed) R. C. MCCORMICK,
Acting Secretary.

TREASURY DEPARTMENT,
July 16th, 1877.

HON. GEORGE W. MCCRARY,
Secretary of War.

SIR: I have the honor to inform you that the amount of U. S. bonds held by the U. S. Treasurer as security for public deposits in the Merchants' National Bank, Little Rock, Arkansas, now stands at $60,000—an increase of $10,000.

Very respectfully,
(Signed) R. C. MCCORMICK,
Acting Secretary.

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,
Assistant Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS
No. 70.

HEADQUARTERS OF THE ARMY,
ADJUTANT GENERAL'S OFFICE,
Washington, July 26, 1877.

By direction of the President, Major General *Schofield* is assigned to temporary duty at the Headquarters of the Army, dating from Monday, the 23d instant, in addition to his command of the Department of West Point.

The forces of the United States, including the Navy and Marine Corps, in the District of Columbia, will be reported to Major General *Schofield*, and act under his command.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 71. } ADJUTANT GENERAL'S OFFICE,
Washington, July 28, 1877.

By direction of the Secretary of War, the following modified order of the Postmaster General, fixing the rates of pay for communications by telegraph, is published for the information of the Army, to replace that promulgated in General Orders No. 65, of 1877, from this office:—

RATES OF PAY FOR COMMUNICATIONS BY TELEGRAPH, 1877-'78.

POST OFFICE DEPARTMENT, *June* 30, 1877.

WHEREAS, by the act of Congress approved July twenty-fourth, A. D. eighteen hundred and sixty-six, entitled "An Act to aid in the construction of telegraph lines, and to secure to the Government the use of the same for postal, military, and other purposes," in section second it is enacted: that telegraphic communications between the several Departments of the Government of the United States and their officers and agents shall, in their transmission over the lines of said companies, have priority over all other business, and shall be sent at rates to be annually fixed by the Postmaster General:

Now, therefore, in pursuance and by virtue of the authority on me by said act conferred, I, DAVID M. KEY, Postmaster General of the United States, do hereby fix the rates at which the telegraphic communications aforesaid shall be sent for the year commencing on the first day of July, A. D. eighteen hundred and seventy-seven, as follows, namely:

The rate for all telegraphic communications, sent otherwise than over circuits established by the Chief Signal Officer of the Army for the transmission of enciphered weather reports, shall be as follows, viz:

One cent per word for each circuit* through which it shall be transmitted, said rate to be computed subject to the following conditions, viz:

A distance of five hundred miles, as computed by the tables of the Post Office Department, shall be deemed a circuit, and the shortest practicable route of the company transmitting the message shall in all cases be the basis of computation.

If, in computing circuits, there shall be found one or more circuits and a fraction of a circuit, such fraction shall be deemed a circuit.

If a communication shall be sent a distance less than five hundred miles, that distance shall be deemed a circuit.

All words of the communication transmitted are to be counted, excepting the date and place at which such communication is filed.

*The word "circuit," as here used, means not a telegraphic circuit, but a unit of distance of five hundred miles.

All messages of less than twenty-five words, address and signature included, shall be rated as if containing twenty-five words, and all messages exceeding twenty-five words shall be rated by the exact number of words they contain, address and signature included.

The rate for all telegraphic communications known as the Signal Service weather reports shall not exceed three cents for each word of said reports for each circuit over which they may pass, in accordance with the schedule of circuits and plans of the Chief Signal Officer of the Army, which are now or may hereafter be adopted by him for transmitting these reports, or such parts thereof as he may designate, in such words or ciphers as may, from time to time, be directed by him. The amount thus estimated is to be taken in full payment for said reports; no additional allowance to be made for drops, office messages, or other services or special facilities required by the Chief Signal Officer for the correct and prompt transmission of said Signal Service reports.

If, at any time, from competition or other cause, telegraph rates should be reduced so that a message of ten words may be sent for the public at a less rate than that above mentioned for a twenty-five word message, then, and in that case, this order shall be changed to meet such lower public rate; it being intended by this proviso that in no case shall the Government be compelled to pay more for a twenty-five word message, including address and signature, than the public is required to pay for a ten-word message, exclusive of such address and signature.

DAVID M. KEY,
Postmaster General.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 72. } ADJUTANT GENERAL'S OFFICE,
Washington, August 4, 1877.

By direction of the Secretary of War, the following order is published for the information of the Army:—

In view of the provisions of section 1190, Revised Statutes, U. S., Paymaster's clerks may be retained in service after June 30, 1877, without other conditions as to employment and payment than rest upon the service of officers of the Army.

They are not regarded as entitled to benefit of the provisions of General Orders No. 59, Adjutant General's Office, current series.

They may, however, purchase subsistence stores on credit under the provisions of General Orders No. 58, Adjutant General's Office, current series. The Paymaster with whom the clerk is serving will make the certificate required in paragraph I; will be furnished with the "certified bill" contemplated in paragraph III, and be expected to see that the charges contemplated in paragraph IV are made upon the clerk's pay-voucher for the month.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS
No. 73.

HEADQUARTERS OF THE ARMY,
ADJUTANT GENERAL'S OFFICE,
Washington, August 6, 1877.

The following orders have been received from the Secretary of War:—

General Orders No. 51, current series, are hereby so far modified as to authorize Department Commanders, when sickness, absence or other causes shall render a change proper, to assign the duty of making the endorsements on pay-accounts, referred to in said orders, to some other Paymasters than those designated. The Paymaster General will be at once notified of such changes.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 74. } ADJUTANT GENERAL'S OFFICE,
Washington, August 7, 1877.

By direction of the Secretary of War, the following opinion of the Attorney General of the United States is published for the information of the Army:—

OPINION.

DEPARTMENT OF JUSTICE,
WASHINGTON, *June* 23, 1877.

SIR: I am informed by your letter of the 21st inst., that it is in the power of the Chief of the Bureau of Engraving and Printing to exchange certain old presses for a new press, so that but a small amount of cash, in addition, will have to be paid to the manufacturers of the new press, and you inquire whether, as these old presses are no longer needed and are much worn, and as in this way they will probably produce more than in any other, you are justified in authorizing him to make the purchase in the manner thus indicated.

It may often happen that by the judicious use of old material, in exchange for necessary machinery, more advantageous contracts may be made than in any other mode, yet I am not prepared to say that such contracts are authorized by law. It has been the intention of Congress, as manifested by the Statutes, (except in certain cases specifically named,) to require that the proceeds of old material which is sold should be covered into the Treasury, and thus accounted for. Although such exchanges may often be conducted to advantage, yet Congress has deemed it better, as a rule of business, to prescribe that the officer having charge of old material should dispose of and account for it as such, and afterwards make the purchase of such new material as he required out of the specific appropriation for that purpose.

Section 3618 of the Revised Statutes is as follows:

"All proceeds of sales of old material, condemned stores, supplies, or other public property of any kind, except the proceeds of the sale or leasing of marine hospitals, or of the sales of revenue-cutters, or of the sales of commissary stores to the officers and enlisted men of the Army, or of the sale of condemned Navy clothing, or of the sales of materials, stores, or supplies to any exploring or surveying expedition authorized by law, shall be deposited and covered into the Treasury as miscellaneous receipts, on account of 'proceeds of Government property,' and shall not be withdrawn or applied, except in consequence of a subsequent appropriation made by law."

This section has been amended by inserting, after the word "Army," in the fifth line thereof, the words "or of materials, stores, or supplies sold to officers and soldiers of the Army." (Act of February 27, 1877, chap. 69.)

The sales which are included within the exceptions in this section are controlled by other sections, which regulate the mode in which the sales of such property shall be made, and the proceeds thereof applied.

Section 3672 provides that "a detailed statement of the proceeds of all sales of old material, condemned stores, supplies, or other public property of any kind, shall be included in the appendix to the book of estimates."

These sections contemplate that there will be sales of old material necessarily made in the various Departments of the Government other than those included within the exceptions. For the mode in which such sales shall be conducted, whether by advertisement, at public auction, or otherwise, no specific provision is made. In these respects, the sales are left to the discretion of the officer having charge of such old material, but it is required that when such sales are made the proceeds shall be covered into the Treasury on account of "proceeds of Government property," and that a detailed statement of them shall be thereafter made.

It is therefore in your power to make two transactions, which will produce, so far as the benefit to the Government is concerned, the same result that would be produced by an exchange. By one of them, you can sell to the manufacturers of the printing press the old presses at a rate which you shall determine to be fair and just, but the sum received from such sale will necessarily be covered into the Treasury on account of "proceeds of Government property."

By the other transaction, you may purchase from the manufacturers, paying for the same out of the appropriation which is put into your hands for that purpose, the new press which is desired for use. While the result, so far as the Government is concerned, is the same, it will not, of course, have the same effect upon your appropriation as would be produced if you were entitled to pay for the new press with the proceeds of the old presses, but you will be compelled to pay in full for such new press from the appropriation in your hands for such an expenditure, while the amount received from the old presses, being covered into the Treasury, will then be subject to the future action of Congress. .

Very respectfully, your obedient servant,

CHAS. DEVENS,
Attorney General.

Hon. JOHN SHERMAN,
Secretary of the Treasury.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 75. } ADJUTANT GENERAL'S OFFICE,
Washington, August 7, 1877.

The following orders have been received from the Secretary of War:—

By direction of the President, the forces of the Navy and Marine Corps, now on duty in the District of Columbia, are relieved from the requirements of General Orders No. 70, Headquarters of the Army, Adjutant General's Office, current series.

Major General *J. M. Schofield* is relieved from the temporary duty to which he was assigned in the same orders.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 76. } ADJUTANT GENERAL'S OFFICE,
Washington, August 8, 1877.

The following orders have been received from the War Department for publication:—

WAR DEPARTMENT,
August 7, 1877.

The following are published for the information of all concerned:

"EXECUTIVE MANSION,
"*November* 23, 1876.

"A joint resolution adopted by Congress, August 5, 1876, declares that—

'Whereas, it is ascertained that the hostile Indians of the Northwest are largely equipped with arms which require special metallic cartridges, and that such special ammunition is in large part supplied to such hostile Indians, directly or indirectly, through traders and others in the Indian country: Therefore,

'*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States is hereby authorized and requested to take such measures as in his judgment may be necessary to prevent such special metallic ammunition being conveyed to such hostile Indians, and is further authorized to declare the same contraband of war in such district of country as he may designate during the continuance of hostilities.'

"To carry into effect the above-cited resolution, the sale of fixed ammunition or metallic cartridges, by any trader or other person, in any district of the Indian country occupied by hostile Indians, or over which they roam, is hereby prohibited; and all such ammunition or cartridges introduced into said country, by traders or other persons, and that are liable in any way or manner, directly or indirectly, to be received by such hostile Indians, shall be deemed contraband of war, seized by any military officer and confiscated; and the district of country to which this prohibition shall apply, during

the continuance of hostilities, is hereby designated as that which embraces all Indian country, or country occupied by Indians or subject to their visits, lying within the Territories of Montana, Dakota, and Wyoming, and the States of Nebraska and Colorado.

"U. S. GRANT."

"EXECUTIVE MANSION,

"*August* 7, 1877.

"By virtue of authority conferred upon the President of the United States by the provisions of section 2132, Revised Statutes of the United States, as follows:—

'The President is authorized, whenever in his opinion the public interest may require the same, to prohibit the introduction of goods, or of any particular article, into the country belonging to any Indian tribe, and to direct all licenses to trade with such tribe to be revoked, and all applications therefor to be rejected. No trader to any other tribe shall, so long as such prohibition may continue, trade with any Indians of or for the tribe against which such prohibition is issued.'

"The introduction into the Indian country, for the purpose of sale or exchange to or with Indians, of any breech-loading fire-arms, and of any special ammunition adapted to such arms, and the sale and exchange to Indians in the Indian country of any such arms or ammunition, is hereby prohibited; and it is hereby directed that all authority under any license to trade in such arms or ammunition is hereby revoked.

"*Second.* The introduction into the country or district occupied by any tribe of hostile Indians, for the purpose of sale or exchange to them, of arms or ammunition of any description, and the sale or exchange thereof to or with such Indians, is hereby prohibited; and it is hereby directed that all license to trade in arms or ammunition of any description with such tribe be revoked.

"By virtue of section 2150, Revised Statutes, as follows:—

'The military forces of the United States may be employed in such manner and under such regulations as the President may direct—

* * * * *

'In preventing the introduction of persons and property into the Indian country contrary to law; which persons and property shall be proceeded against according to law. * * * *'

"All military commanders are hereby charged with the duty of assisting in the execution of the above order, and of Executive Order of November 23, 1876, the provisions of which are extended to include all Indian country within the Territories of Idaho, Utah, and Washington, and the States of Nevada and Oregon.

"R. B. HAYES."

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 77. } ADJUTANT GENERAL'S OFFICE,
Washington, August 9, 1877.

By direction of the Secretary of War, Paragraph II of General Orders No. 60, Headquarters of the Army, dated June 26, 1877, is hereby modified by omitting all of the latter portions of said paragraph which include and follow the words "I further certify that I accepted said services," &c., and substituting the following, so that it will read: "This account is correct and due, but there are no funds available for the payment, which depends on a future appropriation for the purpose."

This certificate may be added to Forms No. 12 and 13, Quartermaster's Department, which forms may be used for such cases.

The fact of issue, with date and amount of the certificate, will be reported on the roll of enlisted men employed on extra duty, (Form No. 3.)

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 78. } ADJUTANT GENERAL'S OFFICE,
Washington, August 13, 1877.

The following orders, received from the Secretary of War, are published to the Army:—

General Orders No. 25, of 1876, being contrary to the decision of the Supreme Court published in General Orders No. 44, of 1877, are hereby revoked.

The following classes are not entitled to the allowance of fuel and quarters:

1st. Officers who await orders for their own convenience, or at their own request, at a place of their own choosing.

2d. Officers who remain unassigned to any duty for an indefinite period, who are not technically "on leave of absence," but are permitted to choose their own residence.

3d. Officers who have been relieved from one station and have not yet entered upon, or been assigned to, duty at another station.

The following are entitled to the allowance of fuel and quarters:

Officers who, for the convenience of the Government, are directed to await orders for a limited period at a designated station until the proper time arrives for giving them specific orders.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

WAR DEPARTMENT,

ADJUTANT GENERAL'S OFFICE,

Washington, August 14, 1877.

[Circular.]

The following letter from the Secretary of the Treasury to the Secretary of War is published for the information of those concerned:—

TREASURY DEPARTMENT,

August 7, 1877.

Hon. GEORGE W. MCCRARY,

Secretary of War.

SIR: I have the honor to inform you that the First National Bank of Portland, Maine, has been discontinued as a public depositary, and its balances of public moneys to the credit of U. S. disbursing officers connected with your Department have been transferred to like credit with the U. S. Assistant Treasurer, Boston, Mass.

Very respectfully,

(Signed) JOHN SHERMAN,

Secretary.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 79. } ADJUTANT GENERAL'S OFFICE,
Washington, August 20, 1877.

The following orders have been received from the War Department:—

The date, December 31, 1877, fixed in General Orders No. 49, current series, is hereby so modified as to authorize Division and Department Commanders to order the purchase and the supply departments to purchase, on credit, in accordance with the terms of that order, such material and supplies as may be necessary for the fiscal year ending June 30, 1878, at posts and stations in the several Divisions and Departments which it would not be practicable to supply on account of the inclemency of the season and the difficulty of transportation during the period from October to June.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 80. } ADJUTANT GENERAL'S OFFICE,
Washington, August 24, 1877.

The following orders have been received from the War Department:—

The attention of all officers responsible for fuel, forage, and straw for the Army is directed to the frequent and large wastage of such supplies, particularly of hay, and the losses sustained at many posts by unnecessary accumulations of grain, and the absence of due precautions in connection with the storage of said supplies.

While unexpected movements of troops may sometimes render losses unavoidable, it is believed that most of the damage resulting from mere length of storage would be avoided by proper care in providing, by requisition or otherwise, only such quantities of these supplies as can be fully consumed before the use of the new supply. In order to prevent such losses in future, as far as practicable, and to determine the responsibility therefor when they do occur, the following instructions are published:—

1. All hay and straw, when received from any source, will be carefully weighed. Hay-scales for this purpose will be supplied, on proper requisition, to any established military post not already provided with them. Grain will be carefully measured or weighed. Wood will be carefully piled and measured, or weighed, and coal will be weighed. It will probably be found cheaper and more correct to determine quantities of wood received by weighing each load on the hay-scales before piling—the weight per cord being ascertained by piling carefully and measuring a sufficient number of cart or wagon loads which have been previously weighed.

2. Hay and straw received and accepted will be carefully stored in barns provided for that purpose, or stacked in some good and convenient location. Great care will be used in preparing the stacks. They will be properly raked down so as to shed the rain freely. The tops should be covered with old canvas, if possible, and kept in place by poles or ropes weighted at the lower ends with stones. Gunny-bags filled with earth, attached to the ropes, and pinned to the sides of the stacks can also be used to keep the covers in place. If canvas cannot be had the stacks should be thatched, the thatching to be kept in place as aforesaid.

Grain should be stowed in places protected, as far as possible, from rats.

In granaries resting on foundation posts, these posts should be cased with tin plates, so arranged as to prevent rats, mice, and other vermin from climbing into the building. For the same purpose, the steps and platform should be separated from the walls by a space which a rat cannot leap, said space being bridged, when required, by moveable gang-planks at each door, which should be invariably removed when not in use. Were rats and mice thus prevented constant access, and water kept out of all granaries, those getting in by any accident would soon be compelled to leave for water.

In granaries already built it is believed that, in most instances, the requisite alterations and additions for those precautions can be readily made; but if not, such other provisions as local conditions may permit should be devised and made.

Fuel should be piled in wood-yards, or, in the absence of these, in places where it can be guarded from thieves.

3. Every officer responsible for fuel, forage, and straw, will, at the end of each quarter, verify by actual measurement the quantities of these supplies on hand—will take account of stock. If the hay and straw are in the stack, the quantities can be determined by ascertaining the cubical contents of the stack, then cutting therefrom a cube of definite size, not less than seven feet, and weighing it. The quantities of hay and straw in barns will be ascertained by proper measurement of the space occupied, and by weighing a portion as above.

The quantity of grain will be verified by weight or measurement. If in a bin, the number of pounds can be ascertained by measuring the bin, allowing $2{,}150\frac{42}{100}$ cubic inches, or $1\frac{245}{1000}$ cubic feet, of space to the bushel, and in weight: of corn, fifty-six pounds to the bushel: barley, forty-eight pounds to the bushel, and oats, thirty-two pounds to the bushel; or, if there are scales at the post, by weighing ten or more bushels of the particular grain on hand to determine actual weight of that grain.

The quantity of wood and coal will be ascertained by weight or measurement. If the quantity of coal on hand is determined by measurement, ascertain the number of cubic feet, and weigh one or more cubic feet. The quantities thus determined will be certified to

by the officer responsible for the property, and his certificate to this effect will be attached to the property return on which the stores are borne.

The commanding officer of the post will see that the verification of the quantities of fuel, forage, and straw by the Quartermaster is made as required, and he will make and send to the headquarters of the department in which he is serving, or, if at an arsenal or rendezvous or independent post or depot, to the Quartermaster General of the Army, through usual channels, at the end of each quarter, a certificate to this effect, and that the quantities shown to be on hand are, in his opinion, correctly stated. These certificates will be made in triplicate, and one copy of each will be filed with the records of the post.

4. In case of any excess or deficiency in the stock on hand shown by this examination, a Board of Survey will be convened at once to fix and determine the quantity of each to be taken up or dropped, and the responsibility therefor. If to be dropped, a full statement of the cause of the deficiency will be given for information of the officer who reports the quantities on hand and the officer who approves or disapproves the report of the Board of Survey.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 81. } ADJUTANT GENERAL'S OFFICE,
Washington, August 25, 1877.

The following order from the War Department is published to the Army:—

The term "Old Pattern Clothing," as it is used in General Orders No. 81, Adjutant General's Office, 1875, and in General Orders No. 107, Adjutant General's Office, 1876, includes only the articles designated as "old pattern" by the act of Congress of June 16, 1874, and published in General Orders No. 58, Adjutant General's Office, 1874, to wit: Hats, Uniform Caps, Forage Caps, Uniform Coats, Uniform Jackets, and Flannel Sack Coats. These articles, if of the pattern in use prior to the adoption of the new uniform, are to be charged, when issued, at the rates fixed in General Orders No. 75, Adjutant General's Office, 1871. All other articles of clothing are to be charged at current rates.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 82. } ADJUTANT GENERAL'S OFFICE,
Washington, August 30, 1877.

I...The 3d Regiment of Infantry will be put *en route* for Montana, *via* Ogden, Utah, with as little delay as practicable. The Commanding General Military Division of the Atlantic will make the necessary arrangements for the movement of the regiment, and its detachments and *impedimenta* left at Southern posts.

II...By direction of the Secretary of War, the military post in Wyoming Territory now called Cantonment Reno will hereafter be known and designated as Fort McKinney.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, August 31, 1877.

[Circular.]

The following letters from the Acting Secretary of the Treasury to the Secretary of War are published for the information of those concerned:—

TREASURY DEPARTMENT,
August 15, 1877.

HON. GEORGE W. MCCRARY,
Secretary of War.

SIR: I have the honor to inform you that the amount of U. S. bonds held by the Treasurer of the U. S. as security for public deposits in the Merchants' National Bank of Little Rock, Arkansas, now stands at $80,000—an increase of $20,000.

Very respectfully,
(Signed) R. C. MCCORMICK,
Acting Secretary.

TREASURY DEPARTMENT,
August 18, 1877.

HON. GEORGE W. MCCRARY,
Secretary of War.

SIR: I have the honor to inform you that the amount of United States bonds held in trust by the Treasurer of the United States as security for public deposits in the First National Bank of Leavenworth, Kansas, now stands at $150,000—a decrease of $75,000.

Very respectfully,
(Signed) R. C. MCCORMICK,
Acting Secretary.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 83. } ADJUTANT GENERAL'S OFFICE,
Washington, September 5, 1877.

By direction of the Secretary of War, the following decision of the Supreme Court of the United States is published for the information of the Army, in connection with General Orders Nos. 40 and 57, of 1874, from this office:

SUPREME COURT OF THE UNITED STATES.

No. 61.—OCTOBER TERM, 1876.

THE UNITED STATES, *Plaintiff in error*,
vs.
Bernard Lariviere and Charles Grant, claimants of forty-three gallons of whisky, and other property.
} In error to the Circuit Court of the United States for the District of Minnesota.

Mr. Justice DAVIS delivered the opinion of the Court.

It may be that the policy of the Government on the subject of Indian affairs, has in some particulars justly provoked criticism, but it cannot be said that there has not been proper effort, by legislation and treaty, to secure Indian communities against the debasing influence of spirituous liquors. The evils from this source were felt at an early day, and in order to promote the welfare of the Indians, as well as our political interests, laws were passed and treaties framed restricting the introduction of liquor among them. That these laws and treaties have not always secured the desired result, is owing more to the force of circumstances, which the Government could not control, than to any unwillingness to execute them.

Traffic with Indians is so profitable that white men are constantly encroaching on Indian territory to engage in it. The difficulty of preventing this intrusion, and of procuring convictions for offenses committed on the confines of civilization, are the obstacles in the way of carrying into effect the intercourse laws. And it is doubtless true, that these laws are as well enforced as could be expected under the circumstances. In this case the United States in its endeavors to enforce them, is met with the objection that they do not apply to the country in which the liquor was seized.

The Red Lake and Pembina Band of Chippewa Indians ceded to the United States by treaty, concluded October 2, 1863, a portion of the lands occupied by them, reserving enough for their own use. The seventh article is in these words: "The laws of the United States now in force, or that may hereafter be enacted, prohibiting the introduction and sale of spirituous liquors in the Indian country shall be in full force and effect throughout the country hereby ceded until otherwise directed by Congress or the President of the United States." The ceded country is now part of an organized county of the State

of Minnesota, and the question is whether the incorporation of this article in the treaty was a rightful exercise of power. If it was, then the proceedings to seize and libel the property, introduced for sale in contravention of the terms of the treaty, were proper and must be sustained.

In the record of the judicial determinations of this court there are few decisions of greater interest and importance than those which were pronounced in the Cherokee Nation vs. The State of Georgia, and Worcester vs. The Same.—(5 Peters, 1; 6 Peters, 515.) Chief Justice Marshall in these cases, with a force of reasoning and extent of learning rarely equaled, stated and explained the condition of the Indians in their relation to the United States and to the States within whose boundaries they lived; and this exposition was based on the power to make treaties and regulate commerce with the Indian tribes. Under the Articles of Confederation of 1777 two limitations were placed upon the power of Congress over Indian affairs: The Indians must not be members of any State, nor must Congress do anything to violate or infringe the legislative right of a State within its own limits. Of necessity these limitations rendered the power of no practical value. This was seen by the convention which framed the Constitution, and Congress now has the exclusive and unfettered power to regulate commerce with the Indian tribes, a power as broad as that to regulate commerce with foreign nations. The only efficient way of dealing with the Indian tribes was to place them under the protection of the General Government. Their peculiar habits and character required this, and the history of the country has shown the necessity of keeping them "separate, subordinate, and dependent." Accordingly treaties have been made and laws passed separating Indian Territory from that of the States, and providing that intercourse and trade with the Indians should be carried on solely under the authority of the United States. Congress very early passed laws relating to the subject of Indian commerce, which were from time to time modified by the lessons of experience.

The act of June 30, 1834, (4 Stats., 732,) as amended by the act of March 15, 1864, (13 Stats., 29,) is the one now in force on this subject.

This act defines what shall be deemed Indian country, and directs the manner in which trade and intercourse with the Indians shall be carried on. The amendment forbids any one, under certain penalties, to give or sell liquor to an Indian, in charge of an agent, or to introduce it into the Indian country. In *United States* vs. *Holiday*, (3 Wallace, 409,) the power of Congress to pass such a law was the main point in controversy.

Holiday was indicted for selling liquor in Gratiot county, Michigan, to an Indian in charge of an agent. The county was not Indian country, nor did it even have an Indian reservation in it. It was contended, among other things, that the sale of liquor to an Indian or any other person within the county, was a matter of State policy for the State to decide for itself, with which Congress had nothing to do. But this court held that the power to regulate commerce with the Indian tribes was in its nature general and not confined to any locality; that its existence carried with it the right to exercise it whenever there was a subject to act upon, although within the limits of a state, and that it extended to the regulation of commerce with the individual members of such tribes. It was also contended that the intercourse act was not a

regulation of commerce within the meaning of the Constitution, but the court held otherwise, and said, "It (the act) relates to buying and selling and exchanging commodities, which is the essence of all commerce, and it regulates the intercourse between the citizens of the United States and those tribes, which is another branch of commerce, and a very important one."

The power is in nowise affected by the magnitude of the traffic, or the extent of the intercourse. As long as the Indians remain a distinct people, with existing tribal organizations recognized by the political department of the Government, Congress has the power to say with whom and on what terms they shall deal, and what articles shall be contraband. If liquor is injurious to them inside of a reservation, it is equally so outside of it, and why cannot Congress forbid its introduction into places near by, which the Indians would be likely to frequent? It is easy to see that the love of liquor would tempt them beyond their borders to obtain it, and that bad white men, knowing this, would seek adjoining localities where the traffic was not prohibited, rather than venture upon forbidden ground. If Congress has the power, as the case we have last cited decides, to punish the sale of liquor anywhere to an individual member of an Indian tribe, why cannot it also punish the introduction of liquor for a similar purpose into territory in proximity to that where the Indians live? There is no reason for the distinction, and as there can be no divided authority on the subject, our duty to a dependent people would require Congress to impose further restrictions, should country adjacent to Indian reservations be used to carry on the liquor traffic with the Indians.

The Indian country, as defined by the act of 1834, was then so remote from settlements that there was no occasion to extend the prohibition to adjacent territory. This country has been so narrowed by successive treaties, that the white population is now all around it, and regarding it with wistful eye. It would be strange, indeed, in view of this changed condition, if the commercial power lodged solely with Congress, and unrestricted as it is by State lines, did not extend to the enactment of a law to exclude spirituous liquors intended to corrupt the Indians, not only from existing Indian country, but from that which had ceased to be so, by reason of its cession to the United States. The power to define originally the "Indian country," within which the unlicensed introduction and sale of liquors were prohibited, necessarily carries with it the power to enlarge the prohibited boundaries, whenever, in the opinion of Congress, the interests of Indian intercourse and trade will be best subserved.

It is true, Congress has not done this, but the Federal Constitution declares a treaty to be the law of the land, and Chief Justice Marshall has said "that a treaty is to be regarded, in courts of justice, as equivalent to an act of the legislature, whenever it operates of itself without the aid of any legislative provision." There is no legislation required to put the seventh article in force, and it must become a rule of action for this court, if the contracting parties had power to incorporate it in the treaty of 1863. About this there would seem to be no doubt. From the commencement of the Government the United States has negotiated with the Indians in their tribal condition as nations, dependent it is true, but still capable of making treaties. And this was only following the practice of Great Britain before the Revolution. In Worcester *vs.* The State of Georgia, *supra*, the court say: "The words 'treaty'

and 'nation' are words of our own language selected in our diplomatic and legislative proceedings by ourselves, having each a definite and well-understood meaning. We have applied them to Indians as we have applied them to the other nations of the earth. They are applied to all in the same sense."

In consequence of this interpretation a country, which if left to the Indians would have remained a wilderness, is now occupied by farms, towns, and cities. There was no legitimate way to accomplish this result except by extinguishing the Indian title, and the subject-matter of this treaty is the cession of a large tract of land in the State of Minnesota and the Territory of Dakota. Indeed, the acquisition of territory is the moving cause of all Indian treaties, and will continue to be so until Indian reservations are confined to very narrow limits. It is admitted that these Pembina Indians had the same right as other tribes to occupy their lands as long as they pleased; and that this right of occupancy could only be extinguished by voluntary cession to the Government. If so, why not annex to the cession a condition deemed valuable to the Indians, and beneficial to the United States, as tending to keep the peace on the frontiers?

The chiefs doubtless saw, from the curtailment of their reservation and the consequent restriction of the limits of the "Indian country," that the ceded lands would be used to store liquors for sale to the young men of the tribe, and they well knew that if there was no cession, they were already sufficiently protected by the extent of their reservation.

Under such circumstances it was natural that they should be unwilling to sell until assured that the commercial regulation respecting the introduction of spirituous liquors should remain in force in the ceded country, until otherwise directed by Congress or the President. This stipulation was not only a reasonable one, to which the contracting parties had the right to agree, but was due from a strong Government to a weak people it had engaged to protect. It is not easy to see how it infringes upon the position of equality which Minnesota holds with the other States. The principle that Federal jurisdiction must be the same, under the same circumstances in every State, has not been departed from in this case, for the prohibition does not rest on any ground which makes a distinction between the States, and the fact that the ceded territory is within the limits of Minnesota is a mere incident, and not the foundation of the prohibition. The act of Congress imported into the treaty applies alike to all Indian tribes occupying a particular country, whether within or without State lines; and as it is based exclusively on the Federal authority over the *subject-matter*, there is no disturbance of the principle of State equality.

Besides, the power to make treaties with the Indian tribes is, as we have seen, co-extensive with the power to make treaties with foreign nations.

And it cannot be doubted that the treaty-making power is ample to cover all the usual subjects of diplomacy with different powers. One of these subjects relates to the acquisition and distribution of property belonging to the citizens or subjects of each in the territory of the other.

A treaty embracing this matter may contravene the statutes of a State, but if it does the courts would disregard them and give to the alien the full protection accorded him by the treaty. If this result can be obtained by treaty with a foreign nation, surely the Federal Government can, in the exercise of

its power to treat with Indians, make provision over a subject like the present, coming, as it does, within the clause relating to the regulation of commerce.

Minnesota, instead of being injured, is benefited by this treaty. An immense tract of valuable country formerly withdrawn from her civil jurisdiction is subjected to it, and her wealth and power greatly increased. Traversed by railroads, built, in part, at least, with the aid of lands which Congress was enabled to give by means of this treaty, the country is open to pre-emption and homestead settlements and sale, and will soon be occupied by a hardy and industrious people.

All that the General Government asks in return for this is, that the ceded lands shall retain their original status, so far as the introduction and sale of spirituous liquors to the Pembina Indians are concerned.

It would seem, apart from the question of power, that the price paid by the State bears no proportion to the extent of the purchase, and we are happy to say that the authorities of the State are not engaged in making this defense.

The judgment of the Circuit Court is reversed and record remanded with directions to overrule the demurrer and try the case.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 84. } ADJUTANT GENERAL'S OFFICE,
Washington, September 7, 1877.

I...The following text books, recommended under paragraph 9 of the Regulations for the Military Academy, have been approved by the Secretary of War:—

Department of History, Geography, and Ethics.

Hart's Manual of Rhetoric and Composition.

Department of Law.

Kent's Commentaries on "Constitutional Law."—Holmes' edition.

Department of Mathematics.

Davies' Elements of Algebra.—Edition of 1877.

Department of Chemistry, Mineralogy, and Geology.

Fowne's Chemistry.—12th edition.

II...In connection with paragraph 70, Regulations for the Military Academy, and as recommended by the Academic Board, the Secretary of War directs that the value to be given the subject of English studies, in forming the general merit roll of the First and Fourth Classes, be represented by the number fifty.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 85. } ADJUTANT GENERAL'S OFFICE,
Washington, September 8, 1877.

The following order has been received from the Secretary of War, for publication to the Army:—

Hereafter officers inspecting public property will cause the destruction, in their presence, of all property found to be worthless and which is without any money value at the place of inspection. The action of an Inspector, on property of this character, will be final, and his inspection report on the same will be a valid voucher for the officer responsible for the property.

In the discharge of the duty devolved upon Inspectors in this regulation, they are reminded they will continue to be regarded as answerable that their action is proper and judicious according to the circumstances of the case.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 86. } ADJUTANT GENERAL'S OFFICE,
Washington, September 10, 1877.

By direction of the Secretary of War, the following orders are published for the information of the Army:—

I...The attention of post and company commanders and officers performing duty in the Subsistence Department is especially invited to the fact that Paragraph VI, General Orders No. 58, current series, from this office, authorizes stores to be sold to enlisted men only "*for their own use.*" If stores purchased are sold or bartered by any soldier, permits for him to purchase will not thereafter be given.

II...Four pounds of yeast-powder to the hundred rations of flour may be issued to troops in the field, when necessary. Yeast-powder issued, and not used, shall not be sold as company savings, but must be returned to the Subsistence Department.

III...When it is impracticable for troops in the field, or those traveling upon cars or transports, to draw or cook beans or rice, equivalents in money value of bread or meat may be issued. The value (in detail) of the stores not drawn, and those issued in lieu thereof, must be entered upon the Abstract of Issues.

IV...Three pints of liquid coffee may be issued daily to troops traveling upon cars or having no facilities for cooking coffee, in lieu of the sugar and coffee rations, the cost thereof not to exceed twenty-one cents per day. The accounts for the coffee must show that sugar and coffee were not drawn for the time for which liquid coffee was issued, and who the officers were from whom the other portions of the ration were drawn. (See Form 24½, Subsistence Department.)

V...Paragraph 1198, Revised Army Regulations, is modified by adding the following:

Back rations will not be issued unless troops have not been sufficiently subsisted, and then only to such an extent as may be necessary for their health and comfort. No sales of back rations will be allowed.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

(FORM 24½.)

THE UNITED STATES,

To ....., *of* .....

County of ....., *State of* .....

187 .		DOLLARS.	CTS.
	For Liquid Coffee, purchased at .... on the .....day of ...., 187 , for a detachment of the ....., numbering ....., traveling by rail from ..... to ....., ... gallons at ..... per gallon - - -		

I CERTIFY that the above account is correct and just, and that the Liquid Coffee was furnished in lieu of the usual rations of coffee and sugar, undrawn, as will appear by the Ration-Return issued by the A. A. C. S., at ....., on the ..... day of ....., 187 .

.....,

..... *Lieut.*, ... *Regt. of* ....., *A. A. C. S.*

RECEIVED at ...., this ..... day of ....., 187 , from ..... Lieut. ....., ... Regiment of ....., A. A. C. S., ... dollars and ..... cents, in full of the above account.

.....

(Signed in duplicate.)

NOTES.—A receipt for money paid must be signed by a principal, and not by a clerk or deputy.

The mode of payment must be noted hereon; if by check, its number, date, and amount must be stated, and also the designation of the Assistant Treasurer or Depositary on whom it is drawn.

Three pints of liquid coffee may be issued daily to troops traveling on cars or having no facilities for cooking coffee, in lieu of the usual rations of sugar and coffee, the cost thereof not to exceed twenty-one cents per day.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 87. } ADJUTANT GENERAL'S OFFICE,
Washington, September 15, 1877.

The following orders have been received from the War Department:—

Until the 31st of December, 1877, or such earlier date as the appropriations for the Army may be available, sales of clothing to civilian employés may be made on credit.

Old-pattern uniform (hats, uniform caps, forage caps, uniform coats, uniform jackets, and flannel sack coats of the pattern in use prior to the adoption of the new uniform) will be charged at the rates fixed in General Orders No. 75, Adjutant General's Office, 1871. All articles other than those herein enumerated will be charged at the rates fixed in General Orders No. 107, Adjutant General's Office, 1876.

The new uniform will not be sold to citizens. Great coats (foot) of size one, and trowsers made of the stock of kersey used prior to 1873, may, however, be sold at current rates.

The articles thus sold will be dropped from the returns on the ordinary clothing receipt roll, the prices charged being noted, and the certificate at the foot of the roll setting forth that the several amounts have been deducted on Form 1.—(*Report of persons hired.*)

When certificates for services are issued the amount to be deducted for clothing must be stated and must agree with Form 1.

On making payments for services the amounts collected on account of sales under this order will be deposited to the credit of the Treasurer of the United States, and the original certificate of deposit transmitted to the Secretary of the Treasury, with statement indicating the voucher upon which the amount was deducted.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY.
No. 88. } ADJUTANT GENERAL'S OFFICE,
Washington, September 27, 1877.

By direction of the Secretary of War, after a soldier has, in the usual manner, been reported a fit subject for admission to the Government Hospital for the Insane, and is ordered to be sent to Washington, D. C., with a view to his becoming an inmate of that Institution, his company commander will forward, with his "Descriptive List," certificates of disability made out and signed in the usual manner. The man will not be discharged at the post, nor will the order be given for his discharge by the Department Commander, but his discharge will be ordered from this office after his arrival at the hospital.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 89. } ADJUTANT GENERAL'S OFFICE,
Washington, September 28, 1877.

By direction of the Secretary of War, General Orders No. 54, Adjutant General's Office, 1873, is hereby revoked, and the following substituted therefor:—

General Orders No. 28, of 1870, in relation to the preservation of public property, remains in force, excepting that the following is substituted for its fourth paragraph:

Quartermasters are authorized, when found expedient, after failure of ordinary means of recovery, to offer for recovery of any lost or stolen animal a reward of $25.00; and, in case of *stolen* animals, an additional reward of $25.00 for each thief arrested, tried, and convicted, and duly sentenced to punishment.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 90. } ADJUTANT GENERAL'S OFFICE,
Washington, October 1, 1877.

The following promotions in the Army of the United States, made by the President since the publication of General Orders No. 64, of July 6, 1877, and up to September 30, 1877, are announced:—

I...PROMOTIONS.

FIRST REGIMENT OF CAVALRY.

Second Lieutenant Otto L. Hein, to be First Lieutenant, September 30, 1877, *vice* Brodie, resigned. (Company "M.")

Additional Second Lieutenant William C. Brown, of the Second Cavalry, to be Second Lieutenant, July 3, 1877, *vice* Rains, killed in action. (Company "L.")

Additional Second Lieutenant Oscar J. Brown, of the Third Cavalry, to be Second Lieutenant, September 30, 1877, *vice* Hein, promoted. (Company "I.")

SECOND REGIMENT OF CAVALRY.

Additional Second Lieutenant Curtis B. Hoppin, of the First Cavalry, to be Second Lieutenant, June 25, 1877, *vice* Coale, promoted. (Company "C.")

THIRD REGIMENT OF CAVALRY.

Additional Second Lieutenant George W. Baxter, of the Fifth Cavalry, to be Second Lieutenant, September 16, 1877, *vice* Hammond, resigned. (Company "H.")

THIRD REGIMENT OF ARTILLERY.

Additional Second Lieutenant Charles G. Woodward, of the Fourth Artillery, to be Second Lieutenant, July 2, 1877, *vice* Sellmer, promoted. (Battery "H.")

FOURTH REGIMENT OF INFANTRY.

Additional Second Lieutenant George N. Chase, of the First Infantry, to be Second Lieutenant, July 1, 1877, *vice* Plummer, dismissed. (Company "A.")

SEVENTH REGIMENT OF INFANTRY.

First Lieutenant Charles A. Coolidge, to be Captain, August 9, 1877, *vice* Logan, killed in action. (Company "A.")

Second Lieutenant Frederick M. H. Kendrick, to be First Lieutenant, August 9, 1877, *vice* Coolidge, promoted. (Company "A.")

Second Lieutenant Charles A. Woodruff, to be First Lieutenant, August 9, 1877, *vice* Bradley, killed in action. (Company "B.")

Second Lieutenant John T. Van Orsdale, to be First Lieutenant, August 19, 1877, *vice* English, died of wounds. (Company "I.")

Additional Second Lieutenant James B. Jackson, of the Fifth Infantry, to be Second Lieutenant, August 9, 1877, *vice* Kendrick, promoted. (Company "H.")

Additional Second Lieutenant Daniel A. Frederick, of the Tenth Infantry, to be Second Lieutenant, August 9, 1877, *vice* Woodruff, promoted. (Company "K.")

Additional Second Lieutenant Samuel H. Loder, of the Ninth Infantry, to be Second Lieutenant, August 19, 1877, *vice* Van Orsdale, promoted. (Company "D.")

NINTH REGIMENT OF INFANTRY.

Additional Second Lieutenant John Baxter, jr., of the Nineteenth Infantry, to be Second Lieutenant, July 1, 1877, *vice* Miller, promoted. (Company "I.")

TENTH REGIMENT OF INFANTRY.

Additional Second Lieutenant Henry Kirby, of the Twelfth Infantry, to be Second Lieutenant, June 20, 1877, *vice* Chamberlain, deceased. (Company "F.")

TWELFTH REGIMENT OF INFANTRY.

Additional Second Lieutenant Stephen C. Mills, of the Seventeenth Infantry, to be Second Lieutenant, June 30, 1877, *vice* Haskell, promoted. (Company "B.")

THIRTEENTH REGIMENT OF INFANTRY.

Additional Second Lieutenant Ariosto McCrimmon, of the Sixth Infantry, to be Second Lieutenant, September 20, 1877, *vice* Smith, resigned. (Company "D.")

FIFTEENTH REGIMENT OF INFANTRY.

First Lieutenant Wilson T. Hartz, to be Captain, August 23, 1877, *vice* Eckles, dismissed. (Company "K.")

First Lieutenant Thomas Blair, to be Captain, August 25, 1877, *vice* Stewart, dismissed. (Company "H.")

Second Lieutenant George K. McGunnegle, to be First Lieutenant, August 23, 1877, *vice* Hartz, promoted. (Company "D.")

Additional Second Lieutenant James A. Maney, of the Sixteenth Infantry, to be Second Lieutenant, August 23, 1877, *vice* McGunnegle, promoted. (Company "E.")

Additional Second Lieutenant John F. C. Hegewald, of the Eleventh Infantry, to be Second Lieutenant, August 25, 1877, *vice* Waters, appointed Regimental Adjutant. (Company "D.")

EIGHTEENTH REGIMENT OF INFANTRY.

Additional Second Lieutenant William T. Wood, of the Fourth Infantry, to be Second Lieutenant, June 30, 1877, *vice* Barnhart, promoted. (Company "F.")

TWENTY-FIRST REGIMENT OF INFANTRY.

Additional Second Lieutenant Francis J. Patten, to be Second Lieutenant, June 17, 1877, *vice* Cornman, promoted. (Company "A.")

II...CASUALTIES.

RESIGNED. (3.)

First Lieutenant Alexander O. Brodie, First Cavalry, September 30, 1877.

Second Lieutenant Charles L. Hammond, Third Cavalry, September 16, 1877.

Second Lieutenant Fred. E. Smith, Thirteenth Infantry, September 20, 1877.

DIED. (6.)

Captain Arthur H. Burnham, Corps of Engineers, at Lowell, Massachusetts, September 12, 1877.

Captain William Logan, Seventh Infantry, killed, August 9, 1877, in action with Indians at Big Hole Pass, Montana Territory.

First Lieutenant James H. Bradley, Seventh Infantry, killed, August 9, 1877, in action with Indians at Big Hole Pass, Montana Territory.

First Lieutenant William L. English, Seventh Infantry, at Deer Lodge, Montana Territory, August 19, 1877, of wounds received in action with Indians at Big Hole Pass, Montana Territory.

Second Lieutenant Sevier M. Rains, First Cavalry, killed, July 3, 1877, in action with Indians at Craig's Mountain, Idaho Territory.

Second Lieutenant Henry B. Chamberlain, Tenth Infantry, at Fairfield, Connecticut, June 20, 1877.

DISMISSED. (2.)

Captain John W. Eckles, Fifteenth Infantry, August 23, 1877.

Captain James H. Stewart, Fifteenth Infantry, August 25, 1877.

III...Officers have been arranged in the foregoing order to the companies and batteries to which they have succeeded in the natural course of promotion, or to which they have been assigned by competent authority.

IV...In case of the death of an officer, it is hereby made the duty of his immediate commanding officer to report the fact at once direct to this office, stating the cause, date, and place.

When an officer away from his command dies in hospital or under treatment, the medical officer in charge will forward the report as above required; if not under treatment by an Army Medical officer the report will be made by any officer having cognizance of the fact.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 91. } ADJUTANT GENERAL'S OFFICE,
Washington, October 1, 1877.

The following orders have been received from the War Department:—

I...The attention of commanders of Geographical Divisions and Departments is invited to the provisions of General Orders No. 57, Adjutant General's Office, 1875, with the view of a more rigid enforcement of the law regulating contracts, and the prevention of purchases in open market to meet supposed emergencies. Information can generally be derived from the records of Quartermasters as to the average quantity of supplies required in years past, which will provide against the happening of such emergencies; and timely advertisements should be made accordingly.

II...The provisions of section 3711, Revised Statutes, though in terms referring only to the District of Columbia, are hereby made applicable to all military posts where purchases of fuel are made.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, October 1, 1877.

[Circular.]

The following letter from the Secretary of the Treasury to the Secretary of War is published for the information of those concerned:—

TREASURY DEPARTMENT,
September 22, 1877.

HON. GEORGE W. MCCRARY,
Secretary of War.

SIR: I have the honor to inform you that the amount of United States bonds held in trust by the Treasurer of the United States to secure public deposits in the First National Bank of Santa Fé, New Mexico, now stands at $160,000—an increase of $10,000.

Very respectfully,

(Signed) JOHN SHERMAN,
Secretary.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 92. } ADJUTANT GENERAL'S OFFICE,
Washington, October 2, 1877.

By direction of the Secretary of War, the Quartermaster's Department is hereby authorized to issue to each employé of the Medical Department to whom subsistence in kind is issued by the Government, the same allowance of fuel as is prescribed for employés of the Quartermaster and Subsistence Departments to whom subsistence in kind is issued by the Government, and General Orders No. 18, February 20, 1874, from this office, is amended accordingly.

This order will take effect October 1, 1877.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 93. } ADJUTANT GENERAL'S OFFICE,
Washington, October 2, 1877.

The following instructions, prepared in the office of the Commissary General of Subsistence, having been approved by the Secretary of War, are published for the information and guidance of all concerned:—

I...The provisions of General Orders No. 49, Headquarters of the Army, Adjutant General's Office, current series, with reference to advertisements for "contracts," will also apply to advertisements and circulars inviting proposals for "purchases;" *i. e.*, they must all state that "payment depends upon a future appropriation for the purpose," and bidders must state in their proposals that they bid with that understanding. When the public exigencies render it necessary to purchase subsistence supplies without advertisements or circulars, the parties from whom purchases are made must be distinctly informed of the above-named contingency, upon which payment depends. All contracts made under authority of the order above mentioned must contain the following as an article thereof:

"That it is expressly agreed and understood that this contract is made under General Order No. 49, Headquarters of the Army, dated May 15, 1877, and under authority of the following law: Section 3732, Revised Statutes, 'No contract or purchase on behalf of the United States shall be made, unless the same is authorized by law or is under an appropriation adequate to its fulfillment, except in the War and Navy Departments, for clothing, subsistence, forage, fuel, quarters, or transportation, which, however, shall not exceed the necessities of the current year;' and that payment depends upon a future appropriation for the purpose, with the following exception, viz: when funds received from sales of subsistence supplies are available for the purpose, payment therefrom may be made for ———— accepted under this contract."

Certified vouchers given for supplies purchased under authority of the above-mentioned order must state that they were so purchased, and that payment therefor depends upon a future appropriation for the purpose. (See Form "A," hereto appended.)

Each officer giving certified vouchers for subsistence supplies purchased on credit will keep a list thereof, the vouchers to be entered in the order in which they are given, and payment made thereon in the same order when funds for the purpose are received.

Abstracts of purchases will be transmitted as required by existing regulations and orders, and when certified accounts have been given, as authorized by General Orders No. 49, the fact will be stated in the column of remarks. Attention is particularly invited to the fact that the order authorizes such purchases only to be made as may be necessary "to meet actual necessities until Congress shall have had time to act upon an appropriation bill." No supplies for issue or for sales to officers and enlisted men will be purchased until the quantities on hand are so far exhausted as to render the purchase of new stores "an indispensable requirement of the service."

II...The following endorsement upon a communication from this office (Commissary General of Subsistence) has been received from the Judge Advocate General of the Army, approved by the Secretary of War:

"BUREAU OF MILITARY JUSTICE,
"*May* 29, 1877.

"Respectfully returned to the Secretary of War, with opinion as follows:

"1. That, in the absence of an appropriation for the purpose, or other special statutory authority, the Secretary of War is nevertheless empowered by section 3732, Revised Statutes, to contract for and purchase on credit, through the Commissary General, all necessary and proper subsistence stores for the Army, (including those usually sold to officers and enlisted men under the requirement of Revised Statutes, section 1144.)

"2. That, in view of the provision of the Act of March 3, 1875, chapter 131, (18 Statutes at Large, 410,) that 'the proceeds of all sales of subsistence supplies shall hereafter be exempt from being covered into the Treasury, and shall be immediately available for the purchase of fresh supplies,' the Secretary of War will certainly be empowered, through the Commissary General, to contract for and purchase subsistence stores for sale under section 1144, from the proceeds of the sales of such stores of this character as may be on hand after July 1, next, so far as such proceeds will go. If these proceeds are insufficient for all the purchases of such stores required to be made, the authority to purchase on credit, conferred by section 3732, may be resorted to.

(Signed) "W. M. DUNN,
"*Judge Advocate General.*

"Approved:
"By order of the Secretary of War:
(Signed) "H. T. CROSBY,
"*Chief Clerk.*"

"May 31, 1877."

No stores for sales to officers and enlisted men will be purchased on credit without instructions from the Commissary General. If the Chief Commissary of a Division or Department in which such supplies

are desired has not the stores required on hand, but has sufficient funds received from the sale of subsistence supplies for their purchase, he will turn over the amount needed for the purpose to the proper purchasing officer in order that the stores may be purchased as is usually done when funds for the purpose are available; but if he has not funds for the purpose, he will send the requisition to this office (Commissary General of Subsistence.)

Chief Commissaries of Departments will direct all Post Commissaries in their respective Departments to turn over to them such portions of the funds received from sales of subsistence supplies as they may require for the purchase of supplies for sales to officers and enlisted men. The balance of the funds may be retained by the Post Commissaries, and expended in payment for fresh beef and company and hospital savings, (when savings cannot be otherwise advantageously disposed of,) but no funds will be disbursed without the approval of the Chief Commissary of the Department.

III...The proceeds of sales of subsistence supplies which may be on hand at the close of the current fiscal year, and not required to pay for fresh supplies which have been purchased prior to that time, and all which may be received from the same source after June 30, 1877, and prior to the passage of an act making appropriation for subsistence of the Army for the next fiscal year, may be expended in the purchase of stores for sales to officers and enlisted men fresh beef, company and hospital savings, and articles of the ration from other sources in the order named.

IV...Officers of the Subsistence Department, and those performing duty therein, will transmit, with their monthly accounts and returns, a list of persons who have been continued in service as authorized by General Orders No. 50, Headquarters of the Army, Adjutant General's Office, current series. The length of time for which the persons were employed during the month, and the rate of compensation which would have been paid, had funds for the purpose been available, will be stated in the report. A certificate of the form hereto appended, marked "B," will be given to each employé continued in service. When an appropriation for the purpose shall have been made, the certificates given will be taken up and properly certified accounts made out, and payment made to the parties properly authorized to receive the same. The original

certificates will (as sub-vouchers) be attached to and accompany the vouchers based thereon, a copy thereof being filed with the retained vouchers. Similar certificates will be given to enlisted men continued upon extra duty by order of property authority, provided they make the stipulation required of other employés.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

(FORM A.)

THE UNITED STATES,

To ....,

Of ....., *County of* ....., *State of* .....

187 .		Dollars.	Cents.

I certify that the above account for ..... dollars and ..... cents is correct and just, and has not been paid by me for want of funds; that the articles specified were purchased at the lowest market price, and will be accounted for on my return of ..... for the month of ....., 1877. The purchase was made by authority of, and in accordance with, the order of the Secretary of War, dated War Department, Washington City, May 14, 1877, and promulgated in General Orders No. 49, Headquarters of the Army, Adjutant General's Office, current series.

_____ _____,

..... *and C. S.*

Received at ....., this ..... day of ....., 187 , from ...., Commissary of Subsistence, ... dollars and ..... cents, in full of the above account.

_____ _____.

(Signed in duplicate.)

(FORM B.)

I certify that .... has rendered service to the United States, in the Subsistence Department, as ..... at ....., from the ..... day of ....., 1877, to the ..... day of ....., 1877, both inclusive, and that the compensation which would have been paid, had funds been available therefor, would have been ..... dollars and ..... cents.

I further certify that the services were absolutely necessary; were ordered by ...., and that .... voluntarily stipulated to perform them without any contract or agreement to be paid therefor. These services were accepted, and this certificate is given by authority of General Orders No. 50, Headquarters of the Army, Adjutant General's Office, May 18, 1877, and the services and rates of compensation have been reported to the Commissary General with my accounts and returns for the month of ....., 1877.

The holder of this certificate is to have no claim against the United States for compensation, unless Congress shall make an appropriation therefor.

———— ——,

..... *and C. S.*

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 94. } ADJUTANT GENERAL'S OFFICE,
Washington, October 3, 1877.

Upon the recommendation of the Chief of Ordnance, the Secretary of War directs the following modifications of General Orders No. 14, from the War Department, series of 1876, viz:

I...Every battery of Artillery actually armed and equipped as a battery of horse artillery or a light battery, and serving as such, will be allowed, for annual practice, as many blank cartridges and friction-primers for instruction and drill as may be deemed necessary by the battery commander, and approved by the post commander. Such batteries will also be permitted to expend in target practice, annually, twenty-five projectiles for each gun of the command.

Batteries at fortifications will be allowed, annually, for instruction and drill for each battery, twenty-five blank cartridges, and for target practice twelve projectiles for calibers above eight-inch and twenty projectiles for calibers of eight-inch and below, with the necessary blank cartridges. When more than one battery is serving at a post there will be allowed for each one additional, one-half of the allowance above made for a single battery—the whole number of blank cartridges and projectiles to be equally divided among all. For instruction in the use of the friction-primer a reasonable number will be allowed in addition to the number necessary for the practice with blank cartridges and projectiles. At posts garrisoned by Infantry or Cavalry, where there are one or more pieces of artillery, the same allowance of ammunition per gun for target practice and instruction can be expended.

The ammunition used for drill and for target practice in all cases will be selected from the serviceable ammunition which has been longest on hand at the post. The practice will in all cases be conducted with great care, and with a single object to convey to officers and men the greatest possible amount of practical information. Commanding officers of posts and batteries will transmit through the proper channels for the information of the Chief of Ordnance, on forms supplied by the Ordnance Department, reports of each and every shot fired, not only in practice and instruction, but also in actual service against an enemy.

II...Hereafter there will be allowed, per annum, for target practice with the Gatling or other machine guns, one thousand ball cartridges for all calibers above fifty one-hundredths of one inch, and for caliber fifty one-hundredths of one inch and those below, two thousand, to be expended and accounted for in the same manner as small-arm ammunition allowed the Army for a like purpose.

Blank cartridges should never be used in the Gatling gun.

By command of General Sherman:

E. D. TOWNSEND,
Adjutant General.

Official:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 95. } ADJUTANT GENERAL'S OFFICE,
Washington, October 4, 1877.

Upon the recommendation of the Chief of Ordnance, the Secretary of War directs the modifications of existing orders as follows, viz:—

I...The Army will be allowed, at the rate of twenty ball cartridges per man per month, for target practice, and in the Cavalry service this number will be divided between the carbine and revolver, at the discretion of the commanding officer. Every commanding officer of a post will name an officer to supervise the target practice, and the results will be embodied in bi-monthly reports, to be rendered by company commanders, through the proper channels, for the information of the Chief of Ordnance. When not expended in target practice, the ammunition may, in the discretion of the post commander, be expended in hunting. This allowance need not be expended in each month, but may accumulate, not longer, however, than to the end of the fiscal year, and thus be used under the most favorable circumstances. That unexpended at the end of the fiscal year (June 30) will be no longer available.

II...Officers charged with the instruction of recruits may use the blank cartridges at discretion during the first year's enlistment, and at the rate of twenty ball cartridges per man per month for target practice.

III...Civil employés of the War Department may be armed, in cases of emergency, when necessary for the protection of life or public property, and the same responsibility attaches to the officers accountable for said arms that attaches to officers of the Army accountable for the arms in the hands of enlisted men.

The same regulations governing the expenditure of ammunition by enlisted men apply to civil employés when armed as above, except that the latter are not allowed to expend cartridges in drill or target practice.

IV...Arms lost, destroyed, or embezzled by hired men in the employ of the Government, are charged in the same manner as stores similarly lost by enlisted men—a certified statement made of it in duplicate, and the money accounted for to the Ordnance Department. One copy of the statement is filed with the return.

V...When ammunition is furnished to scouts, or civil employés, or for escort duty, &c., it cannot be dropped from the returns of the responsible officer unless actually expended by them in the performance of their duty, and it is only considered expended when actually fired from the piece, (rifle, carbine, or revolver.) After the duty is performed the cartridges not fired must be returned to the responsible officer and accounted for by him.

For such expenditures the officer's certificate as to the necessity therefor accompanies his property return.

VI...Ammunition can only be expended in action; in defense of life or public property; in target practice or hunting, as provided in Paragraph I; in the instruction of recruits; for authorized salutes, and for the subsistence of scouts and other civil employés when they are obliged to rely on their arms to sustain life.

VII...The service arms are sold to officers for their own use. The service ammunition to officers for use in their arms; to enlisted men; to civilians engaged in exploring or surveying expeditions authorized by law, and to civilian employés of the War Department, for hunting purposes, when considered necessary or for the interest of the United States.

When specially authorized by the Secretary of War, arms can be sold to civilians, engaged in surveying or exploring expeditions authorized by law, and to Indian agencies.

VIII...The arms and equipments used by an officer are his private property, and can, under no circumstances, be issued to him from Government stores to be accounted for by him as in the case of arms, &c., in the hands of enlisted men; nor can Ordnance stores be loaned to individuals, corporations, Indian agencies, or any other parties whomsoever, and any officer making such a loan is held responsible for the money value of the articles.

By command of General Sherman:

E. D. TOWNSEND,
Adjutant General.

Official:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 96. } ADJUTANT GENERAL'S OFFICE,
Washington, October 15, 1877.

The following instructions, having been approved by the Secretary of War, are published for the information of all concerned :—

In case of one officer relieving another as Quartermaster, the transferring officer need not enter the receipt for Quartermaster's stores upon the abstract, but directly on the return, as "transferred to successor." The receiving officer, in such case, may enter the invoice upon the return as "on hand at the post, received from predecessor."

These instructions will be printed on Form No. 27, Quarterly Return of Quartermaster's Stores, as a note.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

HEADQUARTERS OF THE ARMY,
ADJUTANT GENERAL'S OFFICE,
Washington, October 15, 1877.

[Circular.]

Casualties among the Commissioned Officers of the U. S. Army reported to the Adjutant General's Office during the week ending Saturday, October 13, 1877.

Captain *Owen Hale*, 7th Cavalry—Killed September 30, 1877, in action with Nez Perces Indians, on Snake River, Montana Territory.

1st Lieutenant *Horace P. Sherman*, 15th Infantry—Died October 8, 1877, at Fort Union, New Mexico.

2d Lieutenant *J. Williams Biddle*, 7th Cavalry—Killed September 30, 1877, in action with Nez Perces Indians, on Snake River, Montana Territory.

2d Lieutenant *Eugene Wells*, 1st Artillery—Dismissed October 13, 1877.

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, October 15, 1877.

[Circular.]

The following letter from the Acting Secretary of the Treasury to the Secretary of War is published for the information of those concerned:—

TREASURY DEPARTMENT,
October 9, 1877.

HON. GEORGE W. MCCRARY,
Secretary of War.

SIR: I have the honor to inform you that the amount of U. S. bonds held in trust by the Treasurer of the United States to secure public deposits in the Merchants' National Bank of Little Rock, Arkansas, now stands at $85,000—an increase of $5,000.

Very respectfully,

(Signed) R. C. MCCORMICK,
Acting Secretary.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 97. } ADJUTANT GENERAL'S OFFICE,
Washington, October 19, 1877.

The Secretary of War directs that the following orders be published to the Army:—

I..."The Indian Country," within the meaning of the trade and intercourse acts, may be defined in general as—

1st. Indian Reservations occupied by Indian tribes.

2d. Other districts so occupied, to which the Indian title has not been extinguished.

Furthermore, the operation of said acts may be retained by treaty or extended by act of Congress over districts not in other respects Indian Country.

II...The following is a letter from the Department of the Interior:

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., September 4, 1877.

To the Honorable
THE SECRETARY OF WAR.

SIR: I have the honor to acknowledge the receipt of your letter of 1st instant, enclosing copy of a telegram from the commanding officer at Fort Fetterman, Wyoming Territory, in regard to the seizure of a wagon load of liquor *en route* to the vicinity of Fort Reno, and asking whether the Indian title to the country referred to has been extinguished, and whether it is regarded as Indian Country, within the meaning of the trade and intercourse laws.

Article 16 of the Sioux treaty of 1868 made the country north of the North Platte and east of the Big Horn mountains Indian Country, but the late treaty with the Sioux, and Northern Cheyennes and Arapahoes, ratified by act of Congress of February 28, 1877, (see Article 1,) abrogated the said 16th Article; also the 11th Article of said treaty of 1868, giving certain hunting privileges; and thus this country has been, by the cession of the Indians, made a part of the public domain since the approval of Congress above noted.

A copy of the act of February 28, 1877, is herewith enclosed.

Very respectfully, your obedient servant,

C. SCHURZ, *Secretary.*

III...Article 1 of the above-mentioned treaty of 1876 is as follows:

The said parties hereby agree that the northern and western boundaries of the reservation defined by Article 2 of the treaty between the United States and different tribes of Sioux Indians, concluded April 29, 1868, and proclaimed

February 24, 1869, shall be as follows: The western boundaries shall commence at the intersection of the one hundred and third meridian of longitude with the northern boundary of the State of Nebraska; thence north along said meridian to its intersection with the South Fork of the Cheyenne River; thence down said stream to its junction with the North Fork; thence up the North Fork of said Cheyenne River to said one hundred and third meridian; thence north along said meridian to the South Branch of Cannon Ball River or Cedar Creek; and the northern boundary of their said reservation shall follow the said South Branch to its intersection with the main Cannon Ball River, and thence down the said main Cannon Ball River to the Missouri River; and the said Indians do hereby relinquish and cede to the United States all the territory lying outside the said reservation, as herein modified and described, including all privileges of hunting; and Article 16 of said treaty is hereby abrogated.

IV...If any special case shall occur which, in the view of the Department Commander, may not appear to be embraced within the definitions above stated, such commander is instructed to report the case, with all its facts and circumstances, to the Secretary of War, in order that the question, whether the locality is "Indian country," may be referred to the Secretary of the Interior for his action.

By command of General Sherman:

E. D. TOWNSEND,
Adjutant General.

Official:

Assistant Adjutant General.

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, October 19, 1877.

[Circular.]

The following letter from the Secretary of the Treasury to the Secretary of War is published for the information of those concerned:—

TREASURY DEPARTMENT,
October 12, 1877.

HON. GEORGE W. MCCRARY,
Secretary of War.

SIR: I have the honor to inform you that the amount of United States bonds held in trust by the Treasurer of the United States as security for public deposits in the Merchants' National Bank of Little Rock, Arkansas, now stands at $100,000—an increase of $15,000.

Very respectfully,

(Signed) JOHN SHERMAN,
Secretary.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 98. } ADJUTANT GENERAL'S OFFICE,
Washington, October 20, 1877.

By direction of the Secretary of War, the following regulations relative to hospitals for the Army are published for the information of all concerned:—

I...Regulation hospitals will be built in accordance with plans this day approved, and, when especially authorized by the Secretary of War, will be erected at permanent posts.

In the construction of a new post the erection of the hospital shall go on *pari passu* with that of storehouses and men's quarters.

II...Provisional hospitals are such as may be erected at temporary posts.

In future no building shall be erected or occupied for hospital purposes until the opinion of a medical officer has been obtained, in writing, as to the merits of the site and arrangement, and if the commanding officer dissents from this opinion, he shall return the same to the medical officer, with his reasons for dissent indorsed thereon.

III...Requests for the erection of regulation hospitals will be made by the medical officer, through the commanding officer. The location of the building, the proposed material, the exact modifications of the regular plan (if any) which are proposed, and the estimated cost, are to be stated in the request. The commanding officer will indorse his opinion upon the request and forward it to Department Headquarters. The Department Commander will obtain the views of the Medical Director and Department Quartermaster, and forward the papers to the War Department, with his own opinion indorsed thereon.

IV...When the erection of an hospital has been authorized, the officer charged with its construction will consult as to minor details with the medical officer of the post, who will act as inspector of the work on the part of the Medical Department.

V...When the building is reported ready for occupation, the medical officer will report in full, as to its merits, to the Surgeon General, through the Medical Director, and shall furnish a copy of the same to the constructing officer.

VI...Copies of all plans, estimates, and orders connected with the erection or repair of the post hospitals, whether temporary or permanent, will be furnished to the Medical Department by the officer making the same, and, when furnished to a Post Surgeon or Medical Director, they will at once forward them, with their comments, to the Surgeon General.

VII...The Surgeon General will, in future, furnish to the Quartermaster General, in time for his annual estimates, a statement of the number and size of hospitals, and of the amount of hospital repairs which will probably be required during the ensuing year, with the estimated cost of the same.

VIII...Medical officers in charge of post hospitals will prepare, on the 1st of May of each year, and forward without delay, through the regular official channels, to the Adjutant General of the Army, detailed estimates of repairs, alterations, or additions required for their respective hospitals during the next fiscal year, or for the erection of new hospital buildings when deemed necessary.

The estimates will be accompanied by such drawings as may be necessary to their full understanding, and will show the kind and cost of the materials and labor to be procured, and to what extent (if any) the work can be performed by the troops.

Where no alterations or repairs are required, that fact will be immediately reported.

For the Department of Dakota these estimates will be forwarded on the 1st of March.

IX...The plans and specifications * for post hospitals, approved this day, will form the basis of action until further orders in regard to this subject.

By command of General Sherman:

E. D. TOWNSEND,
Adjutant General.

Official:

Assistant Adjutant General.

* The plans and specifications will be distributed from the Surgeon General's Office.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 99. } ADJUTANT GENERAL'S OFFICE,
Washington, October 22, 1877.

The Secretary of War directs that the following order be issued to the Army:—

Medical officers in charge of hospital bedding and other property at military posts or stations will not, under any circumstances, permit such property to be used for other than hospital purposes and within the hospital to which it has been supplied. All such property as is now in use outside of hospitals by authority of commanding or permission of medical officers will be immediately returned to the hospitals upon receipt of this order; and in all cases of deficiency or loss of such articles, the medical officers accountable for them will at once report such deficiencies to the Surgeon General, with the names of persons having had the articles in their possession, and the authority under which such misapplication of public property was made.

Inspectors will carefully note and report every instance in which these orders are violated or neglected.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, October 23, 1877.

[Circular.]

The following letters from the Secretary of the Treasury to the Secretary of War are published for the information of those concerned:—

TREASURY DEPARTMENT,
October 16, 1877.

Hon. G. W. MCCRARY,
Secretary of War.

SIR: I have the honor to inform you that the amount of United States bonds held in trust by the Treasurer of the United States to secure public deposits in the First National Bank of Springfield, Illinois, now stands at $100,000—a decrease of $100,000.

Very respectfully,

(Signed) JOHN SHERMAN,
Secretary.

TREASURY DEPARTMENT,
October 16, 1877.

Hon. G. W. MCCRARY,
Secretary of War.

SIR: I have the honor to inform you that the amount of United States bonds held in trust by the Treasurer of the United States to secure public deposits in the First National Bank of Helena, Montana, now stands at $80,000—a decrease of $20,000.

Very respectfully,

(Signed) JOHN SHERMAN,
Secretary.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 100. } ADJUTANT GENERAL'S OFFICE,
Washington, October 27, 1877.

The Secretary of War directs that the following orders be issued to the Army:—

I....Attention is invited to the following extracts from the Revised U. S. Army Regulations, edition of 1863, relative to issues of subsistence to Indians:

1202. When subsistence can be spared from the military supplies, the commanding officer is authorized to allow its issue, *in small quantities*, to Indians visiting military posts on the frontiers or in their respective nations. The return for this issue shall be signed by the Indian agent, (when there is one present,) and approved by the commanding officer of the post or station.

1203. Regular daily or periodical issues of subsistence to Indians, or issues of subsistence *in bulk* to Indian agents for the use of Indians, are forbidden.

1224. Issues to * * * Indians * * * shall be entered on *separate* abstracts, each certified to by the commanding officer of the post or station.

* * * * * *

Attention is also invited to the following extract from General Orders No. 76, War Department, Adjutant General's Office, series of 1873:

I...That supplies, stores, or property of any kind, procured out of Army appropriations, shall not be transferred, in any way or under any circumstances, for the use of Indians, except under authority first obtained from the Secretary of War.

II...That any officer violating the terms of this order shall be charged with the money-value of the supplies, stores, or property transferred, and in addition be otherwise held accountable according to circumstances.

* * * * * *

II...Hereafter, when it becomes necessary to subsist Indians not employed with the Army, the issue will not exceed, to every one hundred rations, three hundred pounds of beef, gross, or one hundred and fifty pounds net; ten pounds of pork or bacon; fifty pounds of flour and fifty pounds of shelled corn, or, in lieu of either, twenty-five pounds of hard bread, or, in lieu of both, forty pounds of hard bread; three pounds of beans; four pounds of green coffee; eight pounds of sugar; one pound of soap; one pound of salt, and one-half pound of tobacco; or, in lieu of any of said

articles, their equivalent in money value of other articles—at the discretion of the Commissary General of Subsistence. A smaller allowance will be issued when deemed sufficient, or the state of the supplies renders it necessary.

III...Issues to Indians will be made on ration returns. The ration returns will show the number of men, women, and children, respectively; the total number, and the name of the tribe or band to which they belong.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, October 30, 1877.

[Circular.]

The following letter from the Secretary of the Treasury to the Secretary of War is published for the information of those concerned:—

TREASURY DEPARTMENT,
October 24, 1877.

Hon. GEORGE W. MCCRARY,
Secretary of War.

SIR: I have the honor to inform you that the Lynchburg National Bank of Lynchburg, Va., has been discontinued as a public depository.

Very respectfully,

(Signed) JOHN SHERMAN,
Secretary.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, October 31, 1877.

[Circular.]

The following letter from the Secretary of the Treasury to the Secretary of War is published for the information of those concerned:—

TREASURY DEPARTMENT,
October 25, 1877.

HON. GEORGE W. MCCRARY,
Secretary of War.

SIR: I have the honor to inform you that the amount of United States bonds held in trust by the Treasurer of the United States to secure public deposits in the Third National Bank of Springfield, Massachusetts, now stands at $170,000—a decrease of $50,000.

Very respectfully,

(Signed) JOHN SHERMAN,
Secretary.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 101. } ADJUTANT GENERAL'S OFFICE,
Washington, November 8, 1877.

I...By direction of the President, that portion of the Division of Atlantic which embraces the New England States, State of New York, (excepting the Department and the Post of West Point,) States of New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, Ohio, Michigan, Wisconsin, Indiana, and the District of Columbia, is hereby constituted a Military Department, and will be known as the Department of the East, Major General *W. S. Hancock* commanding, Headquarters, New York City, in addition to his command of the Division of the Atlantic.

II...Major *Samuel Breck*, Assistant Adjutant General, is relieved from duty at the Headquarters Department of California, and will report to Major General *Hancock* for duty at the Headquarters Department of the East.

III...By direction of the Secretary of War, the Military Post on the Big Horn River, in Montana, will hereafter be known and designated as Fort Custer; the Post at Mouth of Tongue River, Montana, as Fort Keogh, and the Post at Missoula, Montana, as Fort Missoula.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL.

Assistant Adjutant General.

GENERAL ORDERS
No. 102.

HEADQUARTERS OF THE ARMY,
ADJUTANT GENERAL'S OFFICE,
Washington, November 9, 1877.

The following order has been received from the War Department:—

So much of General Orders No. 19, Headquarters of the Army, Adjutant General's Office, series of 1862, as requires the names of battles to be placed on the Army Register, is hereby suspended until further orders.

Paragraph 11, Appendix B, General Regulations of 1863, will be amended accordingly.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL.

Assistant Adjutant General.

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, November 10, 1877.

[Circular.]

The following letter from the Secretary of the Treasury to the Secretary of War is published for the information of those concerned:—

TREASURY DEPARTMENT,
November 6, 1877.

HON. GEO. W. MCCRARY,
Secretary of War.

SIR: I have the honor to inform you that the amount of U. S. bonds held in trust by the Treasurer of the United States to secure public deposits in the Merchants' National Bank of Albany, New York, now stands at $100,000—a decrease of $100,000.

Very respectfully,

(Signed) JOHN SHERMAN,
Secretary.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 103. } ADJUTANT GENERAL'S OFFICE,
Washington, November 12, 1877.

By direction of the Secretary of War, the first section of Paragraph 3, General Orders No. 80, August 24, 1877, from this office, is hereby amended to read, as follows:—

3. Every officer responsible for fuel, forage, and straw will, at the end of each quarter, and also when transferring to a successor, upon being relieved, (if time and circumstances permit,) verify, by actual measurement, the quantities of these supplies on hand—will take account of stock. In case of transfer, the account of stock should be taken in the presence of the relieving officer. If the hay and straw are in the stack, the quantities can be determined by ascertaining the cubical contents of the stack, then cutting therefrom a cube of definite size, not less than seven feet, and weighing it. The quantities of hay and straw in barns will be ascertained by proper measurement of the space occupied, and by weighing a portion as above.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, November 15, 1877.

[Circular.]

The following letter from the Secretary of the Treasury to the Secretary of War is published for the information of those concerned:—

TREASURY DEPARTMENT,
November 8, 1877.

HON. GEORGE W. MCCRARY,
Secretary of War.

SIR: I have the honor to inform you that the amount of United States bonds held in trust by the Treasurer of the United States to secure public deposits in the First National Bank of Sioux City, Iowa, now stands at $65,000—a decrease of $30,000.

Very respectfully,

(Signed) JOHN SHERMAN,
Secretary.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 104. } ADJUTANT GENERAL'S OFFICE,
Washington, November 15, 1877.

The following orders have been received from the War Department:—

The President is much concerned to find before him for action the proceedings of Courts-Martial in several cases where officers have been tried for violation of the 38th Article of War. Some of these cases are embarrassed by testimony which makes it evident that the victims of the unfortunate habit had rendered very valuable and conspicuous service in the Army. In these, and in other cases, strong interest has been made, upon considerations urged with much force, to have the sentence of dismissal set aside or mitigated.

The President has good reason to know that these few instances do not represent the prevailing character of Army officers; but they are sufficient to indicate that leniency is not proper in the presence of such an evil. Men exposed to temptation sometimes need the restraining power of example to aid them in resisting it. Prompt and sure punishment for crime is therefore generally the most certain way to prevent it.

The President desires it to be made known to the Army that he cannot be led to underrate the magnitude of the evil which the crime alluded to is likely to produce in the public service. No person addicted to it can expect to be trusted with any responsible duty; and a person who cannot be trusted had better not be continued in office. It must therefore be understood that any clemency which may have been heretofore extended, by mitigation or commutation of sentence, cannot hereafter be relied upon as a basis of hope for a like favorable action.

After this solemn warning, a rigorous execution of the sentences imposed in due course by Courts-Martial may be expected.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 105. } ADJUTANT GENERAL'S OFFICE,
Washington, November 21, 1877.

By direction of the Secretary of War, Paragraph II, General Orders No. 91, October 1, 1877, from this office, making the provisions of section 3711, Revised Statutes, applicable to all military posts where purchases of fuel are made, is hereby amended to provide that at small posts, or places where purchases are made of small quantities of wood and coal, the inspection contemplated by said section will be made by the Post Quartermaster. Department Commanders will use their discretion in this matter.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL.

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 106. } ADJUTANT GENERAL'S OFFICE,
Washington, November 24, 1877.

The accompanying table of the price of clothing and equipage for the Army of the United States, with the allowance to each soldier for clothing in kind during each year of his enlistment, and the money allowance therefor for each year and day, also of the allowance of camp and garrison equipage, having been approved by the Secretary of War, is published for the information and guidance of all concerned. It will take effect on the first of January, 1878, and will remain in force until further orders.

Hats, uniform caps, forage caps, uniform coats, uniform jackets, and flannel sack coats, of the patterns in use prior to the adoption of the new uniform, will be borne on the Return as "old-pattern clothing," and will be issued at the prices fixed in General Orders No. 75, Adjutant General's Office, 1871.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

Statement of the Price at which Clothing for the Army of the United States will be issued from January 1, 1878, *until further orders.*

CLOTHING.	Ordnance Sergeants.	Hospital Stewards.	Commissary Sergeants.	Corp'ls and Privates of Ordnance.	Engineer Troops.	Artillery.	Infantry.	Light Artillery.	Cavalry and Signal Corps.	
Helmet, without trimmings	.....	.....	.....	.....	.....	.....	.....	$2 95	$2 95	Each.
" hair plume	.....	.....	.....	.....	.....	.....	.....	76	76	"
" cord and band	.....	.....	.....	.....	.....	.....	.....	75	75	"
" top piece and socket for plume	.....	.....	.....	.....	.....	.....	.....	58	58	"
" eagle	.....	.....	.....	.....	.....	.....	.....	18	18	"
" scroll and ring	.....	.....	.....	.....	.....	.....	.....	4	4	Per pair.
" side buttons	.....	.....	.....	.....	.....	.....	.....	3	3	"
Uniform dress cap, without trimmings	$1 96	$1 96	$1 96	$1 96	$1 96	$1 96	$1 96	.....	.....	Each.
" " " pompon	26	26	29	26	29	23	23	.....	.....	"
" " " eagle	2	2	2	2	2	2	2	.....	.....	"
" " " crossed cannon	.....	.....	.....	.....	.....	2	.....	.....	.....	"
" " " " rifles	.....	.....	.....	.....	.....	.....	2	.....	.....	"
" " " castle	.....	.....	.....	.....	2	.....	.....	.....	.....	"
" " " bugle	.....	.....	.....	.....	.....	2	2	2	2	"
" " " crescent	.....	.....	2	.....	.....	.....	.....	.....	.....	"
" " " wreath	.....	4	.....	.....	.....	.....	.....	.....	.....	"
" " " U. or S	.....	5	.....	.....	.....	.....	.....	.....	.....	"
" " " shell and flame	2	.....	.....	2	.....	.....	.....	.....	.....	"
Campaign hat	1 25	1 25	1 25	1 25	1 25	1 25	1 25	1 25	1 25	"
" " cord and tassel	7	7	7	7	7	7	7	7	7	"
Forage cap	69	69	69	69	69	69	69	69	69	"
Crossed sabers, cannon or rifles, shell and flame, bugle, castle, crescent, and wreath with letters U. S. for caps	2	14	2	2	2	2	2	2	2	"
Letter, brass	.....	.....	.....	.....	1	1	1	1	1	"
Number, "	.....	.....	.....	.....	.....	1	1	1	1	"
Great coat	6 44	6 44	6 44	6 44	6 44	6 44	6 44	6 44	6 44	"
" " lined with blanket	6 44	6 44	6 44	6 44	6 44	6 44	6 44	6 44	6 44	"
Uniform coat, musician's	.....	.....	.....	.....	11 32	10 99	11 01	10 83	10 83	"
" " without chevrons	10 07	10 07	10 09	10 07	10 07	9 75	9 75	9 58	9 58	"

Crescent, castle, shell and flame, for uniform coat	3		3	3	3							"
Blouse, lined	3 64	3 64	3 64	3 64	3 64	3 64	3 64	3 64	3 64	3 64	3 64	"
" unlined	3 18	3 18	3 18	3 18	3 18	3 18	3 18	3 18	3 18	93	93	"
Stable frock										68	68	Per pair.
Overalls					1 74							
Trowsers, privates, made	3 09	3 09	3 09	3 09	3 09	3 09	3 09	3 09	4 05	4 05		"
" " unmade	2 59	2 59	2 59	2 59	2 59	2 59	2 59	2 59	3 30	3 30		"
Shirt, flannel, light or heavy quality	1 28	1 28	1 28	1 28	1 28	1 28	1 28	1 28	1 28	1 28		Each.
Drawers	61	61	61	61	61	61	61	61	61	61		Per pair.
Stockings, woolen	29	29	29	29	29	29	29	29	29	29		"
" worsted	46	46	46	46	46	46	46	46	46	46		"
Berlin gloves	15	15	15	15	15	15	15	15	15	15		"
Mittens, woolen	25	25	25	25	25	25	25	25	25	25		"
Boots, brass-screwed	3 19	3 19	3 19	3 19	3 19	3 19	3 19	3 19	3 19	3 19		"
Shoes, "	1 86	1 86	1 86	1 86	1 86	1 86	1 86	1 86	1 86	1 86		"
Buffalo overshoes	2 85	2 85	2 85	2 85	2 85	2 85	2 85	2 85	2 85	2 85		"
Arctic "	2 40	2 40	2 40	2 40	2 40	2 40	2 40	2 40	2 40	2 40		"
Blankets, woolen	4 25	4 25	4 25	4 25	4 25	4 25	4 25	4 25	4 25	4 25		Each.
" rubber	1 96	1 96	1 96	1 96	1 96	1 96	1 96					"
Ponchos, "								2 63	2 63			"
Chevrons, N. C. S. and 1st sergeants'	83	83	83		83	83	83	83	83			Per pair.
" sergeants'					41	41	41	41	41			"
" corporals'				32	32	32	32	32	32			"
" service, peace	20	20	20	20	20	20	20	20	20			"
" " war	35	35	35	35	35	35	35	35	35			"
" pioneers and farriers					78	78	78	78	78			"
" device for Signal Corps									28			Each.
Stripes for trowsers	31	31	32									Per pair.
" " sergeants'					34	26	26	26	26			"
" " corporals'				17	25	17	17	17	17			"

Materials sold to officers for their personal use should be charged at the following rates:

Dark-blue flannel, 6-4, $1.20 per yard.
Dark-blue flannel, ¾, 60 cents per yard.
Dark-blue cloth, 6-4, $2.67 per yard.
Sky-blue kersey, 6-4, $1.65 per yard.
Shirting flannel, ¾, 27 cents per yard for light quality.
Canton flannel, 30 inches, 11 cents per yard.
Shirting flannel, ¾, 26 cents per yard for heavy quality.

NOTE.—The Quartermaster's Department does not procure any cloth or clothing expressly for sales to officers, but under Par. 1166, of the Revised Regulations, officers may purchase of cloth, kersey, flannel, and clothing procured for enlisted men such quantities as they may require for their own personal use at the prices given in this list. Purchases can also be made for their servants, under Par. 1167, of the articles therein named. Materials for the manufacture of clothing will not be sold to enlisted men.

Prices at which Camp and Garrison Equipage will be charged in case of loss or damage.

ARTICLES.	AMOUNT.	ARTICLES.	AMOUNT.
Iron bunk, without slats	$4 50	Book, Regimental Letter	$1 51
Bedsack, double	1 66	" " Descriptive	2 11
" single	1 51	" " Index	87
Pillow sacks	54	" " Order	1 51
Mosquito bar	73	Regimental books, set	7 56
Iron pot	82	Target practice book	33
Camp kettle	44	Tent, hospital	36 00
Mess-pan	20	" fly, hospital	13 50
Ax	73	" poles, hospital, set	3 90
Ax-helve	16	" pins, hospital, set	1 68
Ax-sling	31	" hospital, complete	55 08
Hatchet	36	" wall	16 34
" helve	8	" fly, wall	4 98
" sling	25	" poles, wall, set	2 00
Spade	61	" pins, wall, set	1 20
Shovel	59	" wall, complete	24 52
Pick-ax	67	" common	7 00
" helve	7	" poles, common, set	1 25
Drum, complete	3 45	" pins, common, set	68
" head, batter	87	" common, complete	8 93
" " snare	35	" shelter, 2 halves	2 80
" sling	18	" poles, shelter, set	40
" sticks, pair	11	" pins, shelter, set	12
" " carriage	23	" shelter, complete	3 32
" cord	22	" pin, hospital, large	4
" snares, set	11	" pin, wall, large	4
" case	29	" pin, common, small	4
Trumpet, with extra mouth-piece	1 45	" pin, shelter	2
Bugle, " "	1 63	Flag, garrison	72 71
Cord and tassel for trumpet or bugle	45	" post	21 00
Extra mouth-piece for trumpet or bugle	25	" halliards, garrison, post, and storm	1 90
Fife, B or C	17	" storm and recruiting	4 67
Book, Company Clothing Acc'nt.	1 33	" halliards, recruiting	13
" " Order	55	Colors, National, Artillery and Infantry	27 56
" " Descriptive	71	Colors, Regimental, Artillery and Infantry	34 45
" " Morning Report	1 00	Standard for mounted regiment	10 00
Company books, set	3 59	Guidon	4 44
Book, Post Order	45	Color-belt and sling	1 57
" Morning Report	40	Camp color	79
" Letter	45	Stencil plates, set	1 54
" Guard Report	75	Scrubbing brush	17
Post books, set	2 05	Corn broom	23
Book, Regimental Gen'l Order	1 56		

Buffalo overcoats	each	$15 00
Sealskin caps	do	2 78
" gauntlets	per pair	3 23
Fur caps, (muskrat)	each	2 00
" gauntlets "	per pair	2 25

Allowance of Clothing.

ARTICLES.	First year.	Second year.	Third year.	Fourth year.	Fifth year.	Total for five years.
Helmet—Cavalry, Light Artillery, and Signal Corps—with trimmings complete	1	.....	1	.....	.....	2
Dress cap, with trimmings complete	1	.....	1	.....	.....	2
Forage cap	1	1	1	1	1	5
Uniform coats	1	1	.....	1	.....	3
Trowsers	3	2	3	2	2	12
Shirts	4	4	4	4	4	20
Drawers	3	3	3	3	3	15
Boots	1	1	1	1	1	5
Shoes	2	2	2	2	2	10
Stockings	5	5	5	5	5	25
Blouses	2	2	2	2	2	10
Great coat	1	.....	.....	.....	.....	1
Stable frock for mounted men	1	.....	1	.....	.....	2
Overalls for Engineers and mounted men	1	1	1	1	1	5
Blanket, woolen	1	.....	1	.....	.....	2
Blanket, rubber, for foot troops	1	.....	1	.....	.....	2
Poncho, rubber, for mounted troops	1	.....	1	.....	.....	2
White Berlin gloves, pairs	8	8	8	8	8	40

Overcoats lined with blanket or cloth, and woolen mittens, will be issued as provided for in General Orders No. 10, A. G. O., 1875. Buffalo and Arctic overshoes as required in General Orders No. 41, A. G. O., 1876, and sealskin caps and gauntlets as provided by General Orders No. 39, A. G. O., 1876, as modified by General Orders No. 31, A. G. O., 1877.

Campaign hats are issued only to troops on the frontier or in active campaign, at the rate of one per year.

Allowance of Camp and Garrison Equipage.

IN CAMP, GARRISON, OR IN THE FIELD.

	Tents.		Axes.	Hatchets.	Spades.	Pick-axes.	Camp kettles.
	Wall.	Common.					
A General officer	3	.....	1	1	.....	.....	.....
Field and Staff officer above rank of Captain	2	.....	1	1	.....	.....	.....
Other Staff officers, or Captains	1	.....	1	1	.....	.....	.....
Subalterns of companies, to every two	1	.....	1	1	.....	.....	.....
To every 6 foot, or 4 mounted men	.....	1	.....	.....	.....	.....	.....
To every 15 foot, or 13 mounted men	.....	.....	2	2	2	2	2
Laundress, (Par. 1610, Rev. Regs.)	.....	1	.....	.....	.....	.....	.....

Tents for the Sick, their Attendants, and Hospital Supplies.

	Tents.
	Hospital.
For 1 company	1
" 2 companies	1
" 3 "	2
" 4 "	2
" 5 "	3
" 6 "	3
" 7 "	3
" 8 "	3
" 9 "	4
" 10 "	4

Flags.

	Post.	Storm.
For each post or garrison, per year	1	2
For each National Cemetery, per year	.....	2
(Garrison flags are supplied only to such posts as are designated from time to time by the Secretary of War.)		

Corn Brooms and Scrubbing Brushes.

To each company, without regard to its numerical strength, 3 corn brooms and 2 scrubbing brushes per month.

To each post bakery 6 corn brooms per annum.

" " " school 6 " " " "

" " " chapel 3 " " " "

" " " library 4 " " " "

the United States Army.

CORPORALS.			MUSICIANS.		
Ordnance.	Cavalry and Light Artillery.	Artillery and Infantry.	Engineers.	Cavalry and Light Artillery.	Artillery.
60 14	$67 82	$59 79	$61 39	$67 28	$59
41 65	43 74	41 31	43 35	43 69	41
42 93	51 11	42 94	43 57	49 99	41
41 65	43 74	41 31	43 35	43 69	41
31 20	33 82	31 22	31 97	32 84	30
217 57	$240 26	$216 57	$223 63	$237 49	$213
.165	.186	.164	.168	.184	
.114	.12	.113	.119	.12	
.118	.14	.118	.119	.137	
.114	.12	.113	.119	.12	
.085	.093	.085	.088	.09	

1279, Revised Statutes.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 107. } ADJUTANT GENERAL'S OFFICE,
Washington, November 27, 1877.

The following Act of Congress is published for the information and government of all concerned:—

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and seventy-eight, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the support of the Army, for the year ending June thirtieth, eighteen hundred and seventy-eight, as follows:

For expenses of the commanding general's office, two thousand five hundred dollars.

For expenses of recruiting and transportation of recruits, seventy-five thousand dollars.

For contingent expenses of the Adjutant General's Department at the headquarters of military divisions and departments, three thousand dollars.

For expenses of the Signal Service of the Army, purchase, equipment, and repair of electric field-telegraphs and signal-equipments, ten thousand five hundred dollars.

PAY DEPARTMENT.—For pay of the commissioned and non-commissioned officers, privates, military storekeepers, medical storekeepers, musicians, and veterinary surgeons, artificers, farriers, saddlers, and wagoners, including the pay proper of three hundred enlisted men employed as Indian scouts, and the pay of contract-surgeons, the pay of fifty-two paymasters' clerks, of two hundred hospital-stewards, of two hundred hospital-matrons, one hundred and forty-eight commissary-sergeants, messengers to paymasters, extra-duty pay to enlisted men, travel-pay and commutation of subsistence to discharged soldiers, retained pay to discharged men, pay to soldiers for clothing not drawn, additional pay to enlisted men, mileage of officers of the Army when traveling under orders, cost of telegrams; compensation of citizen witnesses attending upon courts-martial, military commissions, courts of inquiry; traveling expenses of paymasters' clerks, eleven million three hundred thousand dollars.

SUBSISTENCE DEPARTMENT.—For subsistence of regular troops, Indian scouts and guides, and Indian prisoners, which shall include

coffee and cooked rations for troops traveling on cars and other conveyances, two million three hundred and seventy thousand dollars.

QUARTERMASTER'S DEPARTMENT.—For the regular supplies of the Quartermaster's Department, consisting of stoves for heating and cooking; of fuel for officers, enlisted men, guards, hospitals, storehouses, and offices; of forage in kind for the horses, mules, and oxen of the Quartermaster's Department at the several posts and stations and with the armies in the field; for the horses of the several regiments of cavalry, the batteries of artillery, mounted men of the Signal Service, and such companies of infantry and scouts as may be mounted, and for the authorized number of officers' horses, including bedding for the animals; of straw for soldiers' bedding: and of stationery, including blank books for the Quartermaster's Department, certificates for discharged soldiers, blank forms for the Pay and Quartermaster's Departments, and for printing of division and department orders and reports, three million seven hundred thousand dollars.

For incidental expenses, to wit: For postage and telegrams, or dispatches; extra pay to soldiers employed under the direction of the Quartermaster's Department in the erection of barracks, quarters, storehouses, and hospitals, in the construction of roads, and other constant labor, for periods of not less than ten days, under the acts of March second, eighteen hundred and nineteen, and August fourth, eighteen hundred and fifty-four, including those employed as clerks at division and department headquarters and Signal Service sergeants; expenses of expresses to and from the frontier posts and armies in the field; of escorts to paymasters and other disbursing officers, and to trains where military escorts cannot be furnished: expenses of the interment of officers killed in action, or who die when on duty in the field, or at posts on the frontiers, or when traveling on orders, and of non-commissioned officers and soldiers: authorized office-furniture; hire of laborers in the Quartermaster's Department, including the hire of interpreters, spies, and guides for the Army; compensation of clerks to officers of the Quartermaster's Department; compensation of forage and wagon masters authorized by the act of July fifth, eighteen hundred and thirty-eight; for the apprehension, securing, and delivering of deserters and the expense incident to their pursuit; and for the following expenditures required the several regiments of cavalry, the batteries of light artillery,

and such companies of infantry and scouts as may be mounted, and for the trains, to wit: hire of veterinary surgeons, medicine for horses and mules, picket-ropes, and for shoeing the horses and mules; also, generally, the proper and authorized expenses for the movement and operations of the Army not expressly assigned to any other department, eight hundred thousand dollars.

For purchase of horses for the cavalry and artillery, and for the Indian scouts, and for such infantry as may be mounted, two hundred thousand dollars: *Provided*, That cavalry regiments may be recruited to one hundred men in each company, and kept as near as practicable at that number; and a sufficient force of cavalry shall be employed in the defense of the Mexican and Indian frontier of Texas: *Provided*, That nothing herein contained shall authorize the recruiting the number of men on the Army rolls, including Indian scouts and hospital stewards, beyond twenty-five thousand.

For transportation of the Army, including baggage of the troops, when moving either by land or water of clothing and camp and garrison equipage from the depots of Philadelphia and Jeffersonville to the several posts and Army depots, and from those depots to the troops in the field; of horse-equipments and of subsistence-stores from the places of purchase and from the places of delivery, under contract, to such places as the circumstances of the service may require them to be sent; of ordnance, ordnance-stores, and small-arms from the founderies and armories to the arsenals, fortifications, frontier posts, and Army depots; freights, wharfage, tolls, and ferriages; the purchase and hire of horses, mules, oxen and harness, and the purchase and repair of wagons, carts, and drays, and of ships and other sea-going vessels and boats required for the transportation of supplies and for garrison purposes; for drayag[e] and cartage at the several posts; hire of teamsters; transportation of funds for the pay and other disbursing departments; the expense of sailing public transports on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific; for procuring water at such posts as, from their situation, require it to be brought from a distance; and for clearing roads, and for removing obstructions from roads, harbors, and rivers, to the extent which may be required for the actual operations of the troops in the field, four million two hundred thousand dollars.

For hire of quarters for officers on military duty, hire of quarters for troops, of storehouses for the safekeeping of military stores, of

offices, and of grounds for camp and summer cantonments, and for temporary frontier stations; for the construction of temporary huts and stables; and for repairing public buildings at established posts, one million one hundred thousand dollars.

For construction and repair of hospitals, fifty thousand dollars.

For purchase and manufacture of clothing and camp and garrison equipage, and for preserving and repacking the stock of clothing and camp and garrison equipage and materials on hand at the Philadelphia, Jeffersonville, and other depots of the Quartermaster's Department, nine hundred thousand dollars.

For all contingent expenses of the Army not provided for by other estimates, and embracing all branches of the military service, to be expended under the immediate orders of the Secretary of War, forty thousand dollars.

MEDICAL DEPARTMENT.—For purchase of medical and hospital supplies, medical care and treatment of officers and soldiers on detached duty, expenses of purveying-depots, advertising, and other miscellaneous expenses of the Medical Department, two hundred thousand dollars: *Provided*, That the heads of the several Executive Departments are hereby authorized to detail for temporary service in the Surgeon-General's Office, to be employed in furnishing information called for by the Commissioner of Pensions, clerks from such Departments, or any of them, whenever practicable.

For the Army Medical Museum, and for medical and other works for the library of the Surgeon-General's Office, ten thousand dollars.

ENGINEER DEPARTMENT.—For engineer depot at Willets Point, New York, namely: For purchase of engineering materials to continue the present course of instruction of the engineer battalion in field engineering, one thousand dollars.

For incidental expenses of the depot, remodeling ponton-trains, repairing instruments, fuel, forage, stationery, chemicals, extra-duty pay, ordinary repairs, one thousand five hundred dollars.

ORDNANCE DEPARTMENT.—For the ordnance service required to defray the current expenses at the arsenals; of receiving stores and issuing arms and other ordnance supplies; of police and office duties; of rents, tolls, fuel, and lights; of stationery and office-furniture; of tools and instruments for use; of public animals, forage, and vehicles; incidental expenses of the ordnance service, including compensation of workmen in the armory and museum

building connected with the Ordnance Office, and those attending practical trials and tests of ordnance, small-arms, and other ordnance supplies, one hundred thousand dollars: *Provided*, That none of the money hereby appropriated shall be expended, directly or indirectly, for any use not strictly necessary for, and directly connected with, the military service of the Government; and this restriction shall apply to the use of public animals, forage, and vehicles: *And provided further*, That none of the money hereby appropriated shall be expended for the construction or repair of buildings.

For manufacture of metallic ammunition for small-arms, seventy-five thousand dollars.

For overhauling, cleaning, and preserving new ordnance-stores on hand at the arsenals, thirty thousand dollars.

For repairing ordnance and ordnance-stores in the hands of troops and for issue at the arsenals and depots, thirty-five thousand dollars.

For purchase and manufacture of ordnance-stores, to fill requisitions of troops, one hundred thousand dollars.

For infantry, cavalry, and artillery equipments, consisting of clothing bags, haversacks, canteens, and great-coat straps, horse-equipments for cavalry troops, seventy-five thousand dollars.

For manufacture of arms at the National Armory, one hundred thousand dollars; and should a board of ordnance officers appointed by the Secretary of War recommend a magazine-gun for the military service, the Secretary of War is authorized to expend not more than twenty thousand dollars of this amount in its manufacture.

For the conversion of ten-inch smooth-bores into rifles, and carriages therefor, fifty thousand *thousand* dollars.

For establishing and maintaining military cemeteries, one hundred and twenty-five thousand dollars.

For the pay of seventy-one superintendents of military cemeteries, fifty-nine thousand dollars.

Approved, November 21, 1877.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND.
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 108. } ADJUTANT GENERAL'S OFFICE,
Washington, December 4, 1877.

The following orders, received from the Secretary of War, are published for the information of the Army:—

I...Paragraph 1295, Revised Army Regulations, 1863, is hereby amended so as to insert after the words "cannot be procured" the words "without great expense or inconvenience."

II...Civilian employés, at remote posts where like stores cannot otherwise be procured, are authorized to purchase Subsistence stores, provided they can be spared, and the sales are for cash, including the total cost to the United States.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 109. } ADJUTANT GENERAL'S OFFICE,
Washington, December 5, 1877.

By direction of the Secretary of War, the regulations published in General Orders No. 58, current series, from these Headquarters, authorizing the sale of Subsistence stores to officers and enlisted men, on credit, are discontinued.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL.

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 110. } ADJUTANT GENERAL'S OFFICE,
Washington, December 6, 1877.

The following order has been received from the War Department:—

The President, to whose attention the subject of issuing "*Certificates of Merit*" under sections 1216 and 1285, Revised Statutes, has been invited, is pleased to direct that these statutes shall be brought into active operation, to take effect from June 22, 1874, the date of approval of the act to revise and consolidate the Statutes of the United States.

Section 1216 provides that, "When any private soldier shall have distinguished himself in the service, the President may, on the recommendation of the commanding officer of the regiment to which such private soldier belongs, grant him a certificate of merit."

Recommendations may be made on account of any distinguished conduct exhibited since June 22, 1874. As bravery and fidelity to duty are the characteristics of every true soldier, extra rewards for such conduct are not to be expected. The certificate of merit will only be conferred for acts which distinguish a soldier above his comrades. Recommendations will only be made upon this understanding.

The Adjutant General will prepare suitable parchment forms for the certificate; and the Paymaster General will make provision for the extra pay allowed under section 1285.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 111. } ADJUTANT GENERAL'S OFFICE,
Washington, December 7, 1877.

The following order has been received from the War Department:—

By direction of the President, a Board to consist of—
Major General *W. S. Hancock*, U. S. Army,
Colonel *D. S. Stanley*, 22d Infantry, and
Colonel *W. D. Whipple*, Aide-de-Camp,
will assemble in New York City, the 8th day of January, 1878, or as soon after as practicable, to determine the following questions arising under Paragraph 11, Appendix B, Revised Regulations of 1863, based upon General Orders No. 19, Headquarters of the Army, February 22, 1862, which is suspended by General Orders No. 102, Headquarters of the Army, November 9, 1877:

First. What shall be considered as being a "battle," within the spirit of the Regulation?

Second. What portion of a regiment must be engaged in a battle to entitle the regiment to have inscribed upon its colors and upon the Army Register the name of the battle?

Third. What record should be made in the cases of regiments consolidated, as in 1815 and 1869?

The Board will report its conclusions for the information and action of the President.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 112. } ADJUTANT GENERAL'S OFFICE,
Washington, December 8, 1877.

The following order is received from the War Department:—

Officers are authorized to drop from their Returns of Clothing, Camp and Garrison Equipage worn-out tent-pins, ax helves, pick-ax helves, and hatchet helves, filing as vouchers their certificates that they have been worn-out in service.

BY COMMAND OF GENERAL SHERMAN:

E. E. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 113. } ADJUTANT GENERAL'S OFFICE,
Washington, December 14, 1877.

By direction of the Secretary of War, the following scale of equivalents will govern in the issue of fuel, average oak wood being the standard, and General Orders No. 18, War Department, Adjutant General's Office, February 20, 1874, is modified accordingly:—

One cord of average oak wood equals—

One and one-fifth cord of yellow pine; or

One and three-fourths cord of poplar, white pine, or cottonwood;

One thousand five hundred and seventy-three (1,573) pounds of Pennsylvania anthracite coal;

One thousand six hundred and twenty-four (1,624) pounds of bituminous coal;

One thousand eight hundred and forty-one (1,841) pounds of Scranton anthracite coal;

Two thousand six hundred and twenty-six (2,626) pounds of Queen Charlotte anthracite coal;

One thousand four hundred and sixty-six (1,466) pounds of Welsh anthracite coal;

One thousand five hundred and fifty-eight (1,558) pounds of Cumberland Sun bituminous coal;

One thousand six hundred and forty-six (1,646) pounds of Australian brown coal;

Two thousand four hundred and six (2,406) pounds of Wahsatch Rocky Mountain coal;

Two thousand five hundred and ninety-two (2,592) pounds of Mount Diablo coal;

Two thousand six hundred and twenty-six (2,626) pounds of Coos Bay, Oregon, coal;

Two thousand four hundred and fifty (2,450) pounds of Seattle brown coal;

Two thousand six hundred and forty-one (2,641) pounds of Bellingham Bay coal;

Two thousand and fifty-three (2,053) pounds of Nanaimo, Vancouver's Island, coal;

Two thousand one hundred and sixty-four (2,164) pounds of Nanaimo coke; and

One thousand three hundred and fifty-seven (1,357) pounds of West Hartly coal.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 114. } ADJUTANT GENERAL'S OFFICE,
Washington, December 17, 1877.

The following regulations relative to *sick leaves* of absence have been received from the War Department, and are promulgated for the information and guidance of all concerned:—

I...Commanders of Geographical Departments and Divisions are authorized to grant leaves of absence, on account of sickness, subject to the limits fixed by the General Regulations of the Army for ordinary leaves. The application must be accompanied by a Surgeon's Certificate of Disability. That the officer may leave the Department, the certificate must recite that a change of location is necessary to save life or prevent permanent disability. Leaves will not be granted unless they originate at the post of duty of the officer.

No application for *extension* of sick leave will be granted from the Headquarters of the Army, or the War Department, unless such extension shall have been approved by the Department or Division Commander.

When not otherwise specified, the leave will commence the day an officer is relieved from duty at his post, after receiving the order granting him leave.

On the expiration of a leave of absence on account of sickness, if the officer be able to travel, (without endangering his ultimate cure,) he will forthwith proceed to his post, although his disability may not have been removed. Exceptions to this general rule must be made in each case by the War Department, on full and explicit medical certificates, forwarded to the Adjutant General of the Army, through Department Headquarters, setting forth the reasons for delay and the length of time delay is considered necessary.

When an officer is prevented by sickness from joining his station, he will transmit the prescribed medical certificates, monthly, to the commanding officer of his post, and regiment or corps, and to the Adjutant General—all through Department Headquarters; and when he cannot procure the certificate of a medical officer of the Army, he will substitute his own certificate, on honor, as to his condition, the certificate to embrace a full statement of his case. The certificates, when approved by the Department Commander and forwarded to

the Adjutant General of the Army, will be sufficient authority for *his* absence until he is able to travel to his post. If the officer's certificate is not satisfactory he will be so informed; if satisfactory the Adjutant General will furnish him, for the advice of the Pay Department and to secure his pay, an official letter of acceptance. Whenever an officer has been absent on account of sickness for one year, he may be examined by a Medical Board, and the case specially reported to the President.

When an officer is absent under an accepted certificate of disability, he will be entitled to the same pay as if an order had been issued granting him leave of absence on account of disability.

Form of Medical Certificate.

——— ———, *of the* ——— *Regiment of* ———, *having applied for a certificate on which to ground an application for leave of absence, I do hereby certify that I have carefully examined this officer and find that*—[Here the nature of the disease, wound, or disability, is to be fully stated, and the period during which the officer has suffered under its effects,] *and that, in consequence thereof, he is, in my opinion, unfit for duty, and not able to travel without endangering his ultimate cure. I further declare my belief that he will not be able to resume his duties in a less period than*—[Here state candidly and explictly the opinion as to the period which will probably elapse before the officer will be able to resume his duties. When there is no reason to expect a recovery, or when the prospect of recovery is distant or uncertain, or when a change of climate is recommended, it must be so stated.] *Dated at* ———, *this* ——— *day of* ———.

[*Signature of the Medical Officer.*]

In all reports of absence, or applications for leave of absence on account of sickness, the officer shall state how long he has been absent already on that account, and by whose permission.

II...Department Commanders are authorized, at any time it may seem to them proper, to order officers absent on sick certificate to return to their posts. Transportation, or mileage, under such orders will not be allowed, except as contemplated by Paragraphs 7 and 8, Section III, General Orders No. 97, Adjutant General's Office. series of 1876.

An ordinary leave will not be changed to a sick leave save by the application of the officer through his post commander, to the end

that the medical officer of the post, familiar with the habits of the officer, may certify as to its necessity. The post commander will forward the application to the Department Commander, to the end that the latter may forward, with his remarks, for the action of the General of the Army and the Secretary of War.

Any officer whose health permits him, for pleasure, to visit watering places, or places of amusement, *will be considered fit for military duty, and as evading duty by absence from his command.* He will likewise be considered as evading duty *if the disease results from his own imprudence.*

III...So much of General Orders No. 2, from the Adjutant General's Office, dated January 14, 1871, as relates to sick leaves, is hereby rescinded.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND.
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS
No. 115.

HEADQUARTERS OF THE ARMY,
ADJUTANT GENERAL'S OFFICE,
Washington, December 18, 1877.

The following order is received from the War Department:—

The act making appropriations for the support of the Army for the year ending June 30, 1878, and for other purposes, approved November 21, 1877, contains this provision:—

For manufacture of arms at the National Armory, one hundred thousand dollars; and should a board of ordnance officers, appointed by the Secretary of War, recommend a magazine-gun for the military service, the Secretary of War is authorized to expend not more than twenty thousand dollars of this amount in its manufacture.

In conformity with this law, a Board will assemble at the National Armory, Springfield, Massachusetts, on the 3d day of April, 1878, to consider and recommend a magazine-gun, should one be found suitable for the military service.

Detail for the Board.

Lieutenant Colonel *J. G. Benton*, Ordnance Department.

Major *F. H. Parker*, Ordnance Department.

Captain *J. H. Rollins*, Ordnance Department.

1st Lieutenant *J. E. Greer*, Ordnance Department, will report to the President of the Board for duty as Recorder.

All persons interested in magazine-guns are invited to submit samples and appear in person, under such rules as may be adopted by the Board. The arms submitted must be calibre .45, and use the United States service cartridge.

Any information required by those interested may be obtained of Colonel *Benton*, National Armory, Springfield, Massachusetts.

The Chief of Ordnance will supply such information and offer such facilities to the Board as may be necessary in the prosecution of its labors.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL.

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 116. } ADJUTANT GENERAL'S OFFICE,
Washington, December 19, 1877.

By direction of the Secretary of War, Subsistence stores may be sold, on credit, to officers and enlisted men who have not been regularly paid, or are in the field where it is impracticable for them to procure funds—the sales to be made and accounted for as prescribed in the regulations published in General Orders No. 58, of 1877, from this office. General Orders No. 109, of 1877, is modified accordingly.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 117. } ADJUTANT GENERAL'S OFFICE,
Washington, December 20, 1877.

I...By direction of the Secretary of War, a Board to consist of—
Surgeon *Charles Page*, U. S. Army,
Major *John P. Hawkins*, Commissary of Subsistence,
Captain *Frederick Mears*, 9th Infantry,
is appointed to meet at Omaha, Nebraska, January 24, 1878, or as soon thereafter as practicable, to make experiments in Army cooking, and prepare a manual for the use of Army cooks.

The junior member will record the proceedings.

II...Officers of the Army are invited to forward to the Board, in writing, such information and suggestions on the subject of Army cooking as they may desire to present for its consideration, and the Subsistence Department is authorized to expend such quantities of Subsistence supplies as may be necessary for the Board in the performance of the duty assigned it.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 118. } ADJUTANT GENERAL'S OFFICE,
Washington, December 20, 1877.

By direction of the Secretary of War, there will be allowed for enlisted men in barracks plain, substantial, wooden chairs, at the rate of not exceeding one (1) for each non-commissioned officer above the rank of Corporal, and six (6) for every twelve (12) enlisted men of all other grades. The chairs will be supplied by the Quartermaster's Department, and will be accounted for as other barrack furniture.

The Quartermaster General will take measures for procuring the necessary supply.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 119. } ADJUTANT GENERAL'S OFFICE,
Washington, December 21, 1877.

The following orders have been received from the Secretary of War:—

I...When by report of the Second Comptroller of the Treasury, or of any Bureau of the War Department, it is ascertained that an officer of the Army has been overpaid, or is indebted to the United States for money, property or supplies, or has failed properly to account for the same, the Paymaster General will notify the officer of the charge.

If refundment or satisfactory explanation be not made within a reasonable time, the Paymaster General will, on the order of the Secretary of War, give notice of the stoppage of the officer's pay until the overpayment or indebtedness be satisfied.

Should the officer in his explanation appeal to the Secretary of War, the Paymaster General will submit the case for decision before enforcement of the stoppage. (See Paragraph 1041, Regulations of 1863.)

II...The notice of stoppage of officers' pay will take the form of a monthly circular to Paymasters, advising them of stoppages in force at its date. This circular will be submitted to the Secretary of War for his approval prior to publication.

Where an officer's name is borne upon this circular, no payment of salary will be made to him which is not in accordance with the stoppage entry in the case. Paymasters disregarding this requirement in any case will be held liable for the amount of the stoppage.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 120. } ADJUTANT GENERAL'S OFFICE,
Washington, December 22, 1877.

The following extracts of an act of Congress are published for the information and government of all concerned:—

AN ACT to provide for deficiencies in the appropriations for the service of the government for the fiscal year ending June thirtieth, eighteen hundred and seventy-eight, and for prior years, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, except as differently specified, for the objects hereinafter expressed, namely:

* * * * *

WAR DEPARTMENT.

COLLECTION AND PAYMENT OF BOUNTY, PRIZE-MONEY, AND OTHER CLAIMS OF COLORED SOLDIERS AND SAILORS.—For salaries of agents and clerks; rent of office, fuel, lights, stationery, and similar necessaries; office furniture and repairs; mileage and transportation of officers and agents; telegraphing and postage, being a deficiency for the service of the fiscal year eighteen hundred and seventy-eight, twenty thousand dollars; which is appropriated to close up and finish the collection and payment of bounty, prize money, and other claims of colored soldiers and sailors; and if the work of collecting and paying said bounty and other claims shall not be finished before January first, eighteen hundred and seventy-nine, said bureau shall be closed, and all papers connected therewith shall be turned over to the department having charge of the payment of bounties due to white soldiers.

That the Secretary of War is authorized to rent offices required for the construction of the State, War, and Navy Department building, and public buildings and grounds, at an aggregate rental not to exceed two thousand one hundred dollars per annum, until such offices can be supplied in buildings belonging to the government; and to pay for the rent of the building now occupied for said offices, from the first day of May, eighteen hundred and seventy-seven, out of any existing appropriations for the State, War, and Navy Department building, or public buildings and grounds.

MISCELLANEOUS.

* * * * *

State, War, and Navy Department building: For continuation of the east wing of the building, one hundred and seventy-five thousand dollars; and for continuation of the north wing of the building, one hundred and fifty thousand dollars; in all, three hundred and twenty-five thousand dollars.

* * * * *

To pay John W. Dodd and John McKinny for work and labor and materials furnished in grading and paving the sidewalk and gutters on Michigan street, in front of the arsenal grounds, in the city of Indianapolis, Indiana, six thousand and four dollars and forty-eight cents.

* * * * *

Approved, December 15, 1877.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 121. } ADJUTANT GENERAL'S OFFICE,
Washington, December 22, 1877.

The following order of the President, received through the Secretary of War, is promulgated for the government of all concerned:—

Article X, Paragraph 96, of the Regulations of the U. S. Military Academy, is hereby amended, as follows:—

In place of the forage cap at present in use the "white India helmet" will be substituted as the uniform fatigue hat for Cadets, to be worn during the summer months.

Description:—To weigh seven and one-quarter ounces; the helmet body to be of cork, stiffened with wine shellac, made water-proof, and covered with a white unsulphured cloth, made in six sections and double stitched at seams; cloth to be ironed to body so as to adhere to every portion. Visor to be lined with green material, shellaced to body; the binding of visor to be of enameled leather. The ventilator to have three holes on top button, so that it may be reversed in windy or cool weather, when riding, or at any time when there is too much draught on the head.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

GENERAL ORDERS } HEADQUARTERS OF THE ARMY,
No. 122. } ADJUTANT GENERAL'S OFFICE,
Washington, December 29, 1877.

The following Joint Resolution of Congress is published for the information of all concerned:—

JOINT RESOLUTION relative to reservoirs to promote the navigation of the Mississippi River.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, requested to make such preliminary examination of the headwaters of the Saint Croix, Chippewa, and Wisconsin Rivers, in the States of Minnesota and Wisconsin, as is consistent with his service, to determine the extent and practicability of reservoirs upon the same, and report to this Congress the result of such examination, together with a compilation of all information and reports in his office bearing upon the subject of reservoirs, by February fifteenth proximo, or as early thereafter as practicable. And that he also report the estimated amount and character of the lands which would be submerged by such reservoirs.

Approved, December 15, 1877.

BY COMMAND OF GENERAL SHERMAN:

E. D. TOWNSEND,
Adjutant General.

OFFICIAL:

Assistant Adjutant General.

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